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BY-LAW NO. 79-1

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 4TH DAY OF DECEMBER A. D., 1978.

WHEREAS by Section 9 of the Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

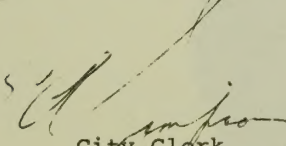
AND WHEREAS by Subsection 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

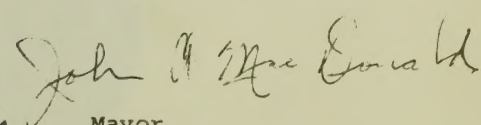
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

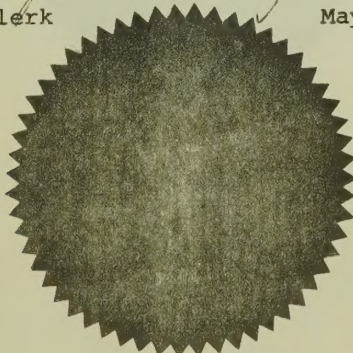
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 4th day of December A. D., 1978.


City Clerk


Mayor



Bill No. 2

The Corporation of the City of Hamilton

BY-LAW NO. 79-2

To Provide:

For An Amendment to the Agreement Dated January 6, 1976
Between The Province of Ontario and the City of Hamilton

Respecting:

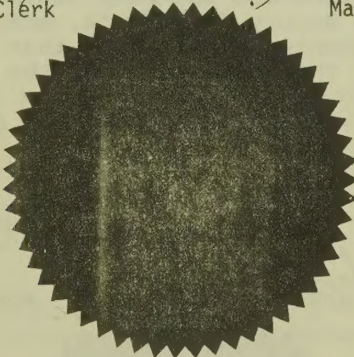
THE CONSTRUCTION OF A TRADE AND CONVENTION CENTRE

1. The Mayor and City Clerk are hereby authorized and directed to execute an amending agreement to the Agreement dated the 6th day of January, 1976 in accordance with the agreement attached to this by-law as Schedule "A".
2. By-law No. 78-300 passed on November 28, 1978 is hereby repealed.

PASSED this 6th day of December, A.D., 1978.

SA Simpson
City Clerk

John A. Mauder
Mayor



BY-LAW NO. 79-3

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 6TH DAY OF DECEMBER A. D., 1978.

WHEREAS by Section 9 of the Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

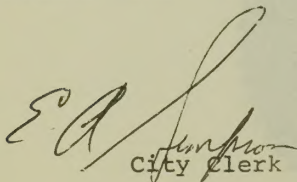
AND WHEREAS by Subsection 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

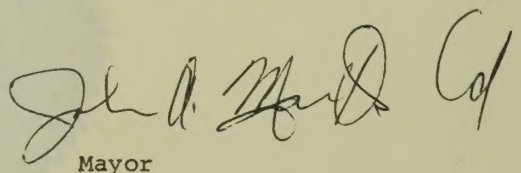
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

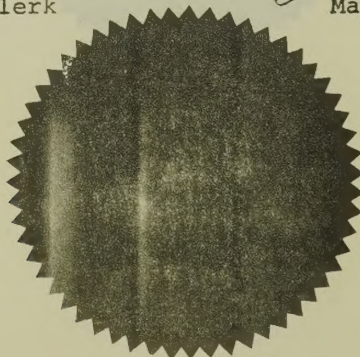
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 6th day of December A. D., 1978.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 4

To Amend:

By-law No. 7970

Respecting:

SALARY OR WAGES

WHEREAS subclause (ii) of clause (d) of section 3 of The City of Hamilton Act, 1957 empowers the City of Hamilton to amend Hamilton Municipal Retirement Fund By-law No. 7970, passed on the 15th day of February, 1957, from time to time and with the approval of the Department of Municipal Affairs, now the Ministry of Intergovernmental Affairs;

AND WHEREAS clause (g) of section 1 of Article I of By-law No. 7970 defines "earnings" to mean salary or wages received from the employer during the year;

AND WHEREAS it is desirable to amend the definition of earnings to include only certain classes of contributory earnings and to exclude certain classes of non-contributory earnings.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of Article I of By-law No. 7970 is amended by striking out "unless a contrary intention appears" in the first line, so that the first line shall read as follows:

1. In this by-law,

2. Clause (g) of section 1 of Article I of By-law No. 7970 is amended by adding at the end thereof "but does not include non-contributory earnings".

3. Section 1 of Article I of By-law No. 7970 is amended by adding the following clauses thereto:

(ca) "contributory earnings" means basic salary or wage, shift premium, acting pay, service pay, premium pay, standby pay, vacation pay upon retirement and clothing allowance;

(ma) "non-contributory earnings" includes overtime, call-back pay, vacation pay in lieu of vacation leave, court pay, bonuses, Unemployment Insurance rebate, travel expenses and mileage;

(qa) "salary or wages" means contributory earnings;

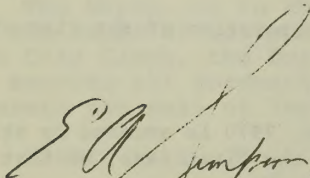
- (t) "vacation pay upon retirement" means the percentage calculation for vacation pay in the year of retirement calculated from January 1st to the date of retirement;
- (u) "vacation pay in lieu of vacation leave" means vacation leave earned in the year prior to retirement not utilized at the time of retirement but received as a lump sum payment of money at the time of retirement.

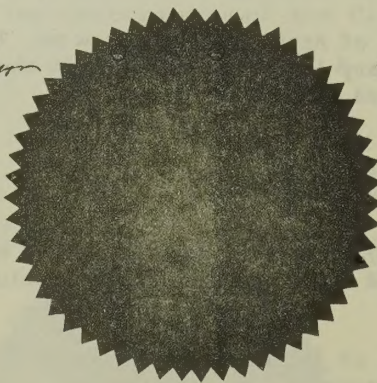
4. This By-law comes into effect on the 1st day of January, 1978.

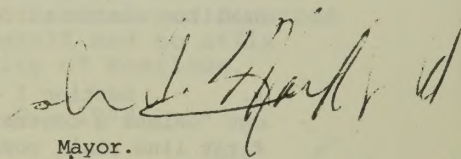
READ A FIRST AND SECOND TIME on the 25th day of July, 1978.

RECONSIDERED AND AMENDED AS PER DIRECTION OF THE MINISTRY OF INTERGOVERNMENTAL AFFAIRS.

READ A SECOND AND THIRD TIME AND FINALLY PASSED on the 12th day of December, 1978, the approval of the Ministry of Intergovernmental Affairs having been received on the 12th day of December, 1978.


City Clerk.




Mayor.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 5

To Enact:

A BY-LAW TO CHANGE STREET NAMES

WHEREAS paragraph 97 of subsection 1² of section 354 of The Municipal Act, R.S.O. 1970, Chapter 284 does provide that a municipality may by by-law change the names of highways and shall state the reason therefor.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The name of the following highway shall be changed for the reason set forth:

FROM Greenock Road TO Nebo Road, all of Greenock Road extending between Rymal Road East and Stone Church Road East for the REASON that Greenock Road is a new extension of Nebo Road and it is therefore desirable to establish a uniformity in street names between the extension and the existing Nebo Road.

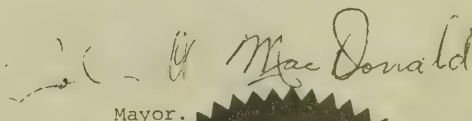
2. A copy of this By-law certified under the hand of the City Clerk and the seal of The Corporation of the City of Hamilton and the Judge's Certificate shall be registered in the Registry Office for the Registry Division of Wentworth.

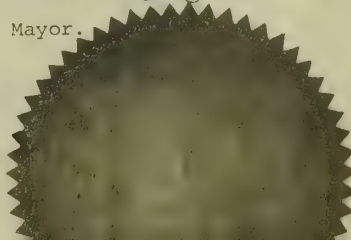
3. The Traffic Commissioner is hereby authorized and directed to affix at the corners of the highways referred to in section 1, on public or private property, highway name-signs bearing the new names of the highways and to maintain the new highway name-signs in proper condition.

READ a first and second time on the 26th day of September, 1978.

READ a third time and passed by the Council of The Corporation of the City of Hamilton, this 12th day of December 1978.


City Clerk


Mayor.



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 6

To Amend:

Zoning By-law No. 6593

Respecting:

CITY YARDS AND DISTRICT YARDS

WHEREAS section 17C(3)(d)(i) of General Zoning By-law No. 6593, relating to public uses in an "M-14" and "M-15" (Prestige Industrial) district, prohibits city yards and district yards as public uses;

AND WHEREAS By-law No. 78-194, passed on the 28th day of June, 1978, amended section 17C(3)(h)(ii) of General Zoning By-law No. 6593, relating to public uses in an "M-15" District to permit district yards and sanitary transfer stations as public uses;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area approved by the Minister under The Planning Act;

AND WHEREAS it is desirable to delete the prohibition as to a city yard or district yard in S. 17C(3)(d)(i).

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 17C(3)(d)(i) of By-law No. 6593 is amended by striking out "city yard, district yard or", so that the section shall read as follows:

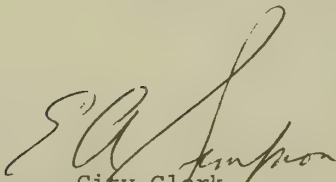
(d) In an M-14 and M-15 District:

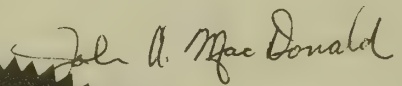
(i) public uses:

1. A public use except a public garbage dump;

2. The City Clerk and the City Solicitor are hereby authorized to take such steps as may be necessary or expedient for approval of this by-law by the Ontario Municipal Board.

PASSED this 12th day of December 1978.


City Clerk


Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 -

To Amend:

By-Law No. 77-283

Respecting:

LAND LOCATED ON THE WEST SIDE OF CLIFFORD STREET

WHEREAS By-Law No. 77-283, passed on the 8th day of November, 1977 rezoned lands on the west side of Clifford Street, as shown on Schedule "A1" to By-law No. 77-283, from "D" (Urban Protected Residential- One and Two Family Dwellings, etc.) district to "C" (Urban Protected Residential, etc.) district;

AND WHEREAS the Ontario Municipal Board did approve the rezoning except the land situate at Municipal Nos. 8 and 14 Clifford Street;

AND WHEREAS it is desirable to return the zoning for the aforesaid properties from "C" to "D".

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-47 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

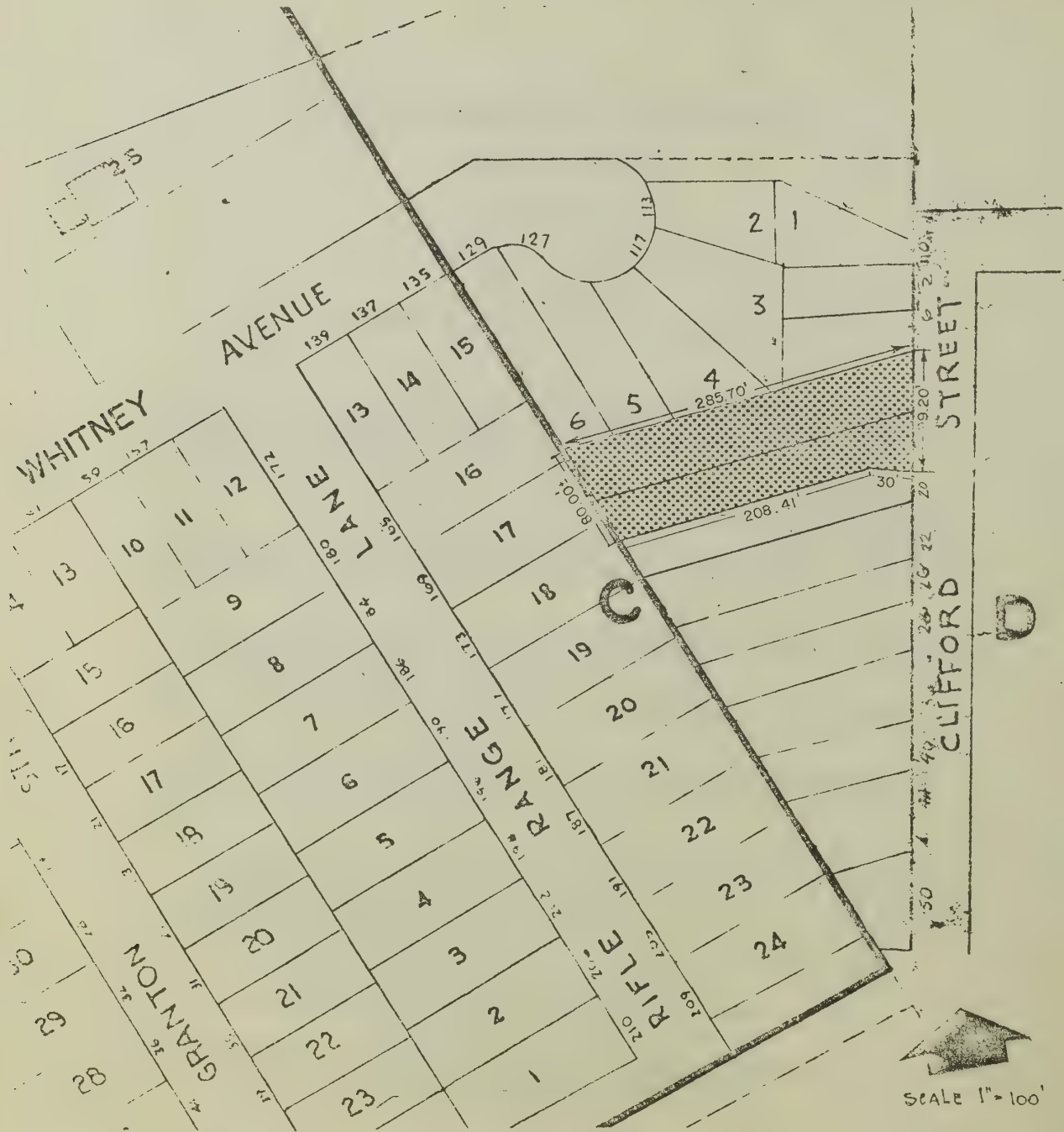
READ a first and second time on the 12th day of December, 1978.

READ a third time and passed by the Council of the Corporation of the City of Hamilton this
day of , 1979.

City Clerk

Mayor

O.M.B. Decision, July 20, 1978
Amending Decision, September 19, 1978
O.M.B. Files Nos. R 773162; R 78191
City Initiative 77-U
Legal File No. 40-5.1258



LEGEND



Lands on part of sheet No. 11-47 of the Zoning District maps to be excluded from By-law No. 77-283.

Bill No. 5

This is Schedule "A" to By-law No. _____ passed the _____ day of _____

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 7

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE NORTH-EAST CORNER OF MAIN STREET WEST
AND PEARL STREET SOUTH

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS the above referred to lands are zoned "D" (Urban Protected Residential - One and Two Family dwellings, etc.) district;

AND WHEREAS the "D" District does not provide for the commercial uses referred to in section 1 of this by-law;

AND WHEREAS it is intended that the existing buildings on the land may be converted into one or more of the commercial uses referred to in section 1 of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions of By-law No. 6593, passed on the 25th day of July, 1950, applicable to the lands, the extent and boundaries of which are shown on schedule "A" are amended to the extent only of the following variances as special requirements:

1. The existing buildings may be converted to one or more of the following:

i. Commercial Uses:

- A. Bank, Financial Institution;
- B. Professional Office, Business Office, Optician's Office;
- C. Photographer's Studio, Artist's Studio;
- D. Barber Shop, Hairdressing Establishment, Beauty Parlour;
- E. Tailor Shop, Dressmaking Establishment;

F. Restaurant, Outdoor Cafe, Tavern;

G. Pharmacy;

H. Sporting Goods Store;

I. Public Parking Lot;

ii. Commercial Boutique Type Uses:

J. Music and Record Shop;

K. Gift Shop;

L. Art Gallery;

M. Retail Book Store;

N. Wearing Apparel Shop, Millinery Shop;

O. Food Shop.

2. Accessory uses to the uses permitted under paragraph 1, as follows:

i. parking spaces for each converted building;

ii. one ground sign or wall sign or projecting sign.

3. Not less than 3 parking spaces shall be provided and maintained for each converted dwelling referred to in paragraph 1 on the lot or within 600 feet of the lot.

4. No sign shall be provided and maintained that,

(a) exceeds 4 square feet in area; and

(b) is illuminated in a manner that is other than non-flashing, indirect or internal;

(c) is located less than 5 feet from the nearest street line.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used except in accordance with,

(a) the "D" District provisions,

subject to the special requirements referred to in section 1.

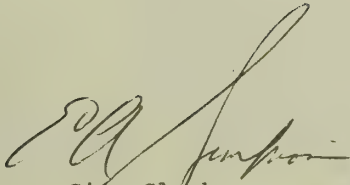
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-614".

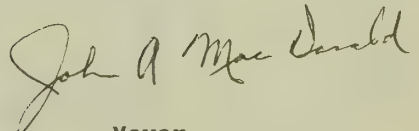
4. Sheet No. W-12 of the District Maps appended to and forming part of By-law No. 6593 is amended by marking the land referred to in section 1, "S-614".

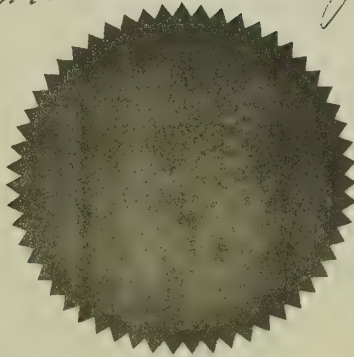
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 12th day of December 1978.


City Clerk


Mayor



(1978) 33 R.P.D.C. 5, October 31
A. H. Gould and M. Gould, Owners
ZA 77-83



Scale: 1"=100'

City Clerk

AL A MacDonald
Mayor

Bill No. 6

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 8

To Amend:

Zoning By-law No. 76-232

Respecting:

THE BLAKELEY NEIGHBOURHOOD

WHEREAS By-law No. 76-232, passed on the 27th day of July, 1976, rezoned land in the Blakeley Neighbourhood, including land on Cumberland Avenue;

AND WHEREAS the Ontario Municipal Board, by Oral Decision delivered on May 1, 1978, decided (inter alia) with respect to schedules "A3" and "A4", as follows:

"In summary, the by-law will be approved without notice or hearing.....when the by-law will be amended to reflect clarification in the boundary between the two zones on the lands known municipally as 326 to 348 Cumberland Avenue, inclusive".

"The Board understands that the boundary would reflect the lines generally shown on Exhibit 12 filed."

The Board also required that the by-law be amended to reflect clarification on the boundary between the two zones on the lands known municipally as 318, 352 and 356 Cumberland Avenue, at which time the Board would approve the by-law without further notice or hearing;

AND WHEREAS the exact boundary between the two zones on the lands hereinbefore referred to was clarified,

- (a) as to the lands municipally known as 326 to 348 Cumberland Avenue in accordance with a survey plan referred to as Exhibit 12 filed; and
- (b) as to the lands municipally known as 318, 352 and 356 Cumberland Avenue, in consultation with the owners of the land;

AND WHEREAS an additional clarification of the zoning boundary across the property at No. 360 Cumberland Avenue, to commence with the rear property, was made with the consent of the owner.

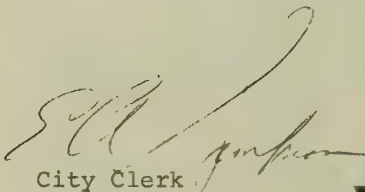
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

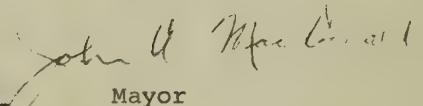
1. Schedule "A3", annexed to By-law No. 76-232, is deleted and schedule "A3-R", hereto annexed, is substituted in lieu thereof.

2. Schedule "A4", annexed to By-law No. 76-232, is amended by striking out the location of the northerly zoning boundaries of the lands, and the dimensions shown thereon and comprised of No. 326 to 348 Cumberland Avenue and 318, 352, 356 and 360 Cumberland Avenue and substituting in lieu thereof the following:

1. As to Nos. 326 to 348 Cumberland Avenue, the northerly zoning boundary of the "JJ" (Restricted Light Industrial) district, shall be located and the distance therefrom shall be as shown on schedule "A4-R", hereto annexed.
2. As to Nos. 318, 352 and 356 Cumberland Avenue, the northerly zoning boundary of the "JJ" (Restricted Light Industrial) district, shall be located and the distance therefrom shall be as shown on schedule "A4-R", hereto annexed.
3. As to No. 360 Cumberland Avenue, the northerly zoning boundary shall be located and the distance therefrom shall be as shown on schedule "A4-R", hereto annexed.

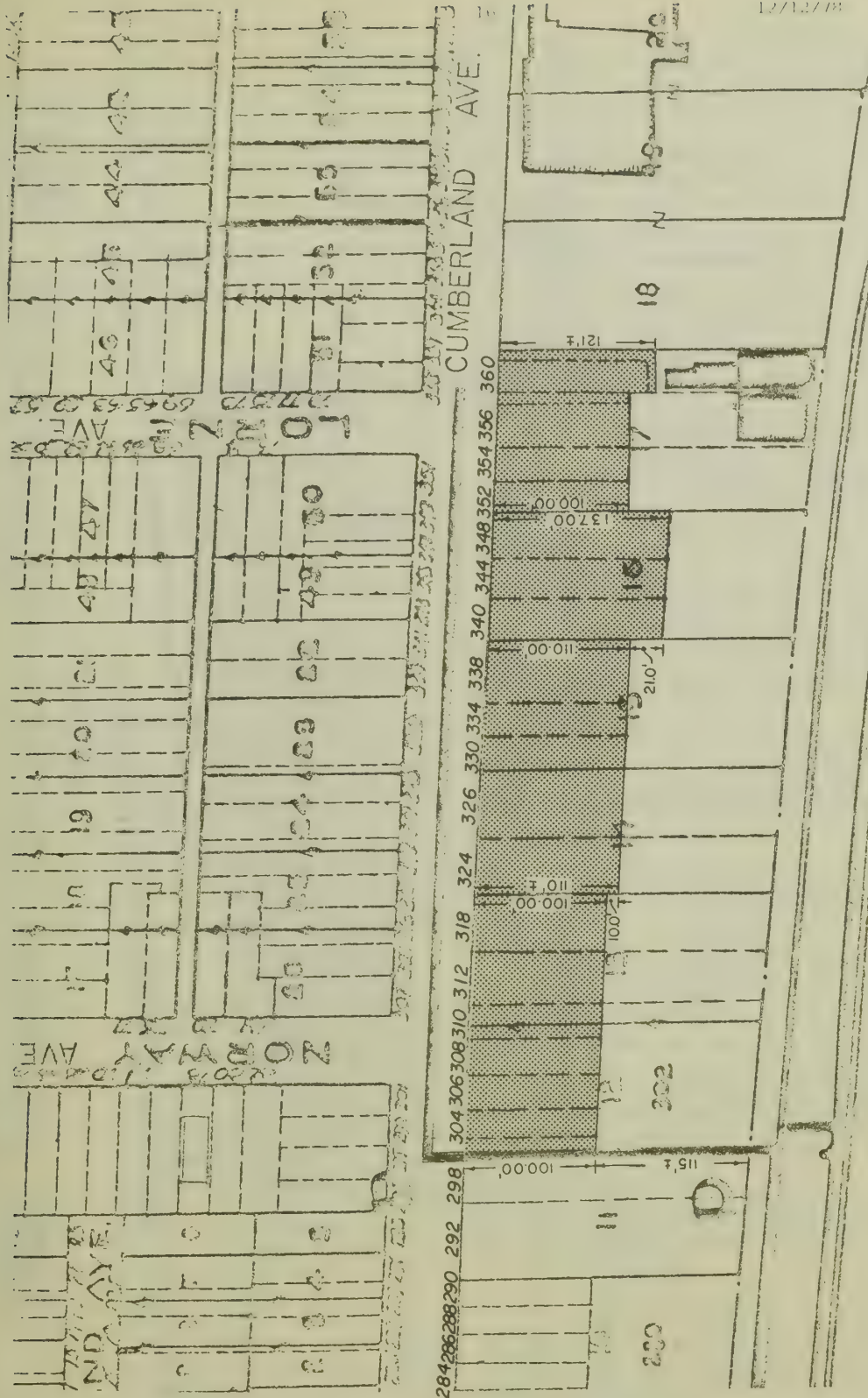
PASSED this 12th day of December 1978.


City Clerk


Mayor



(1976) 15 R.P.D.C. 1(d), May 11
City Initiative 76-0
O.M.B. Oral Decision, May 1, 1978
O.M.B. File No. R 763514
Legal File No. 40-5.1160



LEGEND



Lands on Sheet No. E-34 of the Zoning District Maps to be re-zoned from "J" (Light and Limited Heavy Industry, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.
(Modified to Permit Access to an adjoining Industrial Area.)



SCALE: 1" = 100'

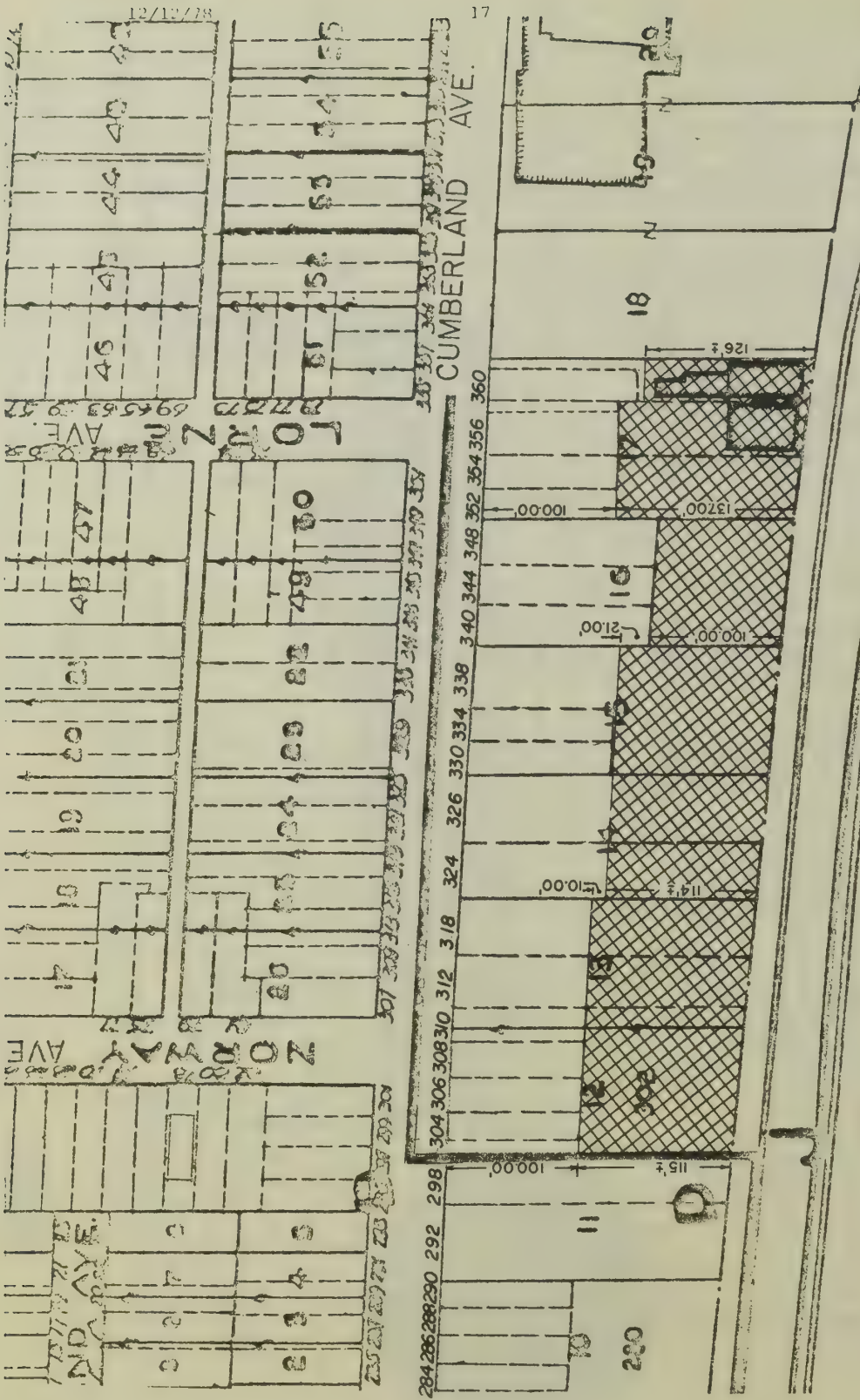
Bill No. 7

This is Schedule "A3-R" to By-law No. 79 - 8 passed the 12 day of December, 1978

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor



LEGEND

Lands on Sheet No. E-34 of the Zoning District Maps to be re-zoned from "J" (Light and Limited Heavy Industry, etc.) District to "JJ" (Restricted Light Industrial) District.



SCALE: 1" = 100'

Bill No.7

This is Schedule "A4-R" to By-law No. 79-8 passed the 12th day of December, 1978

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 9

To Amend:

By-law No. 78-244

Respecting:

LAND LOCATED ON THE WEST SIDE OF TOPE CRESCENT
SOUTH OF KING STREET WEST

WHEREAS By-law No. 78-244, passed on the 30th day of August, 1978, rezoned the land shown on schedule "A" thereto annexed, as follows:

1. Block 1, from "J" to "D" District; and
2. Block 2, from "J" and "D" to "JJ" District;

AND WHEREAS it is desirable to establish special requirements regulating the land shown on schedule "A" to By-law No. 78-244;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 78-244 is amended by striking out "Sheet No. W-22" in the first line and inserting in lieu thereof "Sheets Nos. W-22 and W-23".

2. By-law No. 78-244, passed on the 30th day of August, 1978, is amended by renumbering sections 2 and 3 as 6 and 7 respectively, and adding thereto the following sections:

2. The "JJ" District provisions applicable to the lands referred to in clause (b) of section 1 are amended to the extent only of the following variances as special requirements:

1. Clauses (a), (b), (c), (d), (e), (ea), (eb), (ed), (ee), (ef), (eg), (eh), (ei), (ej), (f), (g), (gg), and (h) of subsection 1 of section 16A of By-law No. 6593 shall not apply.
2. An industrial use for the sole purpose of assembly and packaging of parts which have been fabricated elsewhere into a product of manufacture, shall be permitted.
3. The land shall be subject to section 19C of By-law No. 6593.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "JJ" District provisions,

subject to the special requirements referred to in section 2.

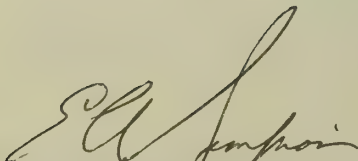
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-619".

5. Sheets Nos. W-22 and W-23 of the District Maps are amended by marking the lands referred to in section 1(b) of this by-law, "S-619".

3. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

4. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 12th day of December 1978.


City Clerk


Mayor

(1978) 35 R.P.D.C. 8, November 28
City Initiative 78-I
Legal File No. 40-5.1334



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 10

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT NO. 16 KENILWORTH AVENUE¹ NORTH

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" District provisions of By-law No. 6593, passed on the 25th day of July, 1950, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variances as special requirements:

1. A banquet hall shall be permitted.
2. Notwithstanding sections 14 and 18 of By-law No. 6593, required parking and loading space shall be provided and maintained within 600 feet of the lot in a District in which parking and loading space for commercial uses is permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "H" District provisions,

subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-611".

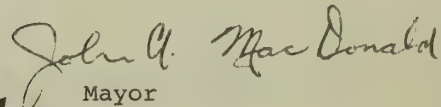
4. Sheet No. E-64 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-611".

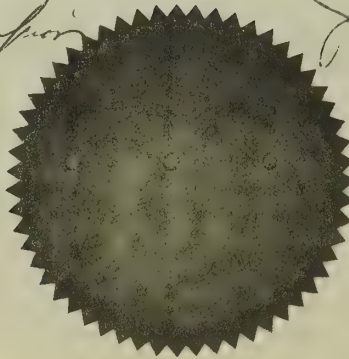
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

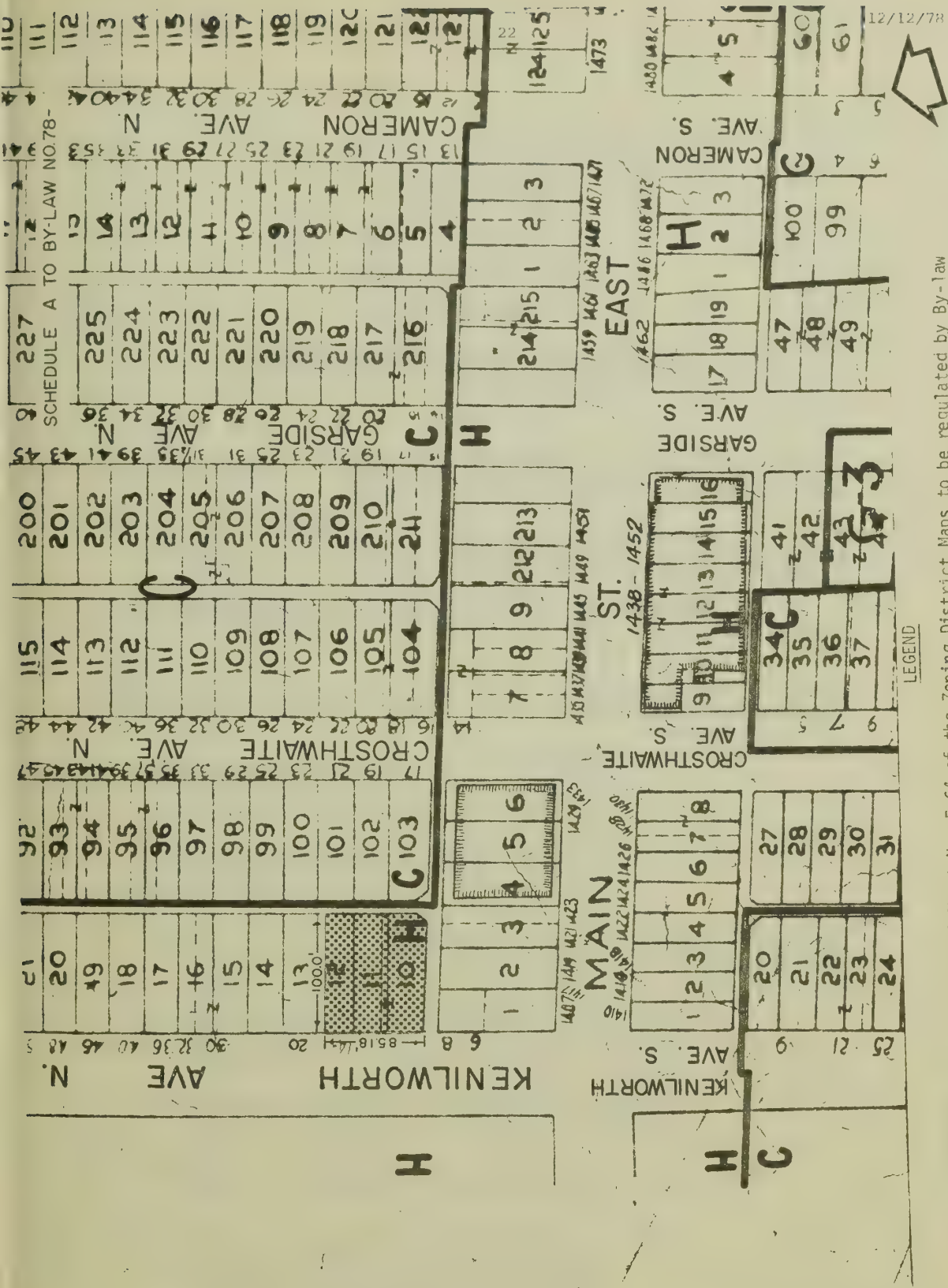
PASSED this 12th day of December 1978.


City Clerk


Mayor



(1978) 33 R.P.D.C. 1, October 31
The Chauvoti Chewka Group Incorporated,
Owner and Prospective Owner
ZA 78-44



Lands on Part of Sheet No. E-64 of the Zoning District Maps to be regulated by By-law No. 78-

Bill No. 9

This is Schedule "A" to By-law No. 78-10 passed the 12th day of December, 1978

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 11

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE NORTH-EAST CORNER
OF STONE CHURCH ROAD AND UPPER WENTWORTH STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27C of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Blocks 2 and 3,

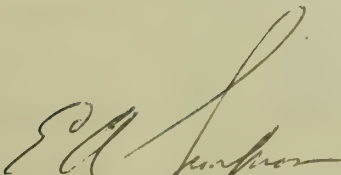
the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as schedule "A".

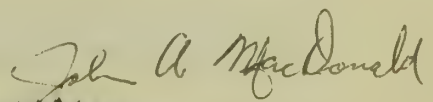
2. The "D" District provisions applicable to the land referred to in clause (b) of section 1 are amended to the extent only of the following variances as special requirements:

- 1. As to the "D" District provisions applicable to Blocks 2 and 3,
 - (a) clause (iii) of subsection 1 of section 10 of By-law No. 6593 shall not apply; and
 - (b) notwithstanding section 10(3)(ii) of By-law No. 6593, no side yard shall be required along one side of each lot, except that a minimum side yard of 4 feet shall be required for that side of the lot flanking a street; and

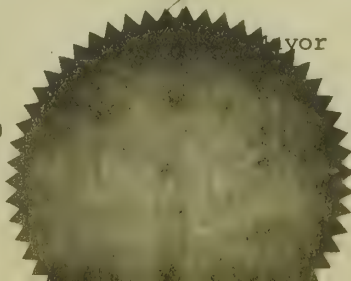
- (c) notwithstanding section 10(4) of By-law No. 6593, a lot for a single family dwelling shall have a minimum width of 30 feet and a minimum area of 3,000 square feet; and
 - (d) the land shall be subject to section 19C of By-law No. 6593.
2. As to the "D" District provisions applicable to Block 3,
- (a) notwithstanding section 2(2)J(xiii) of By-law No. 6593, front lot lines shall be located along the 20-foot private roadway; and
 - (b) section 4(3)(b) of By-law No. 6593 requiring minimum street frontage shall not apply.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land referred to in clause (b) of section 1 be used, except in accordance with,
- (a) the "D" District provisions,
- subject to the special requirements referred to in section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-609".
5. Sheet No. E-27C of the District Maps is amended by marking the lands referred to in section 1(b) of this by-law, "S-609".
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 12th day of December 1978.


City Clerk


Mayor

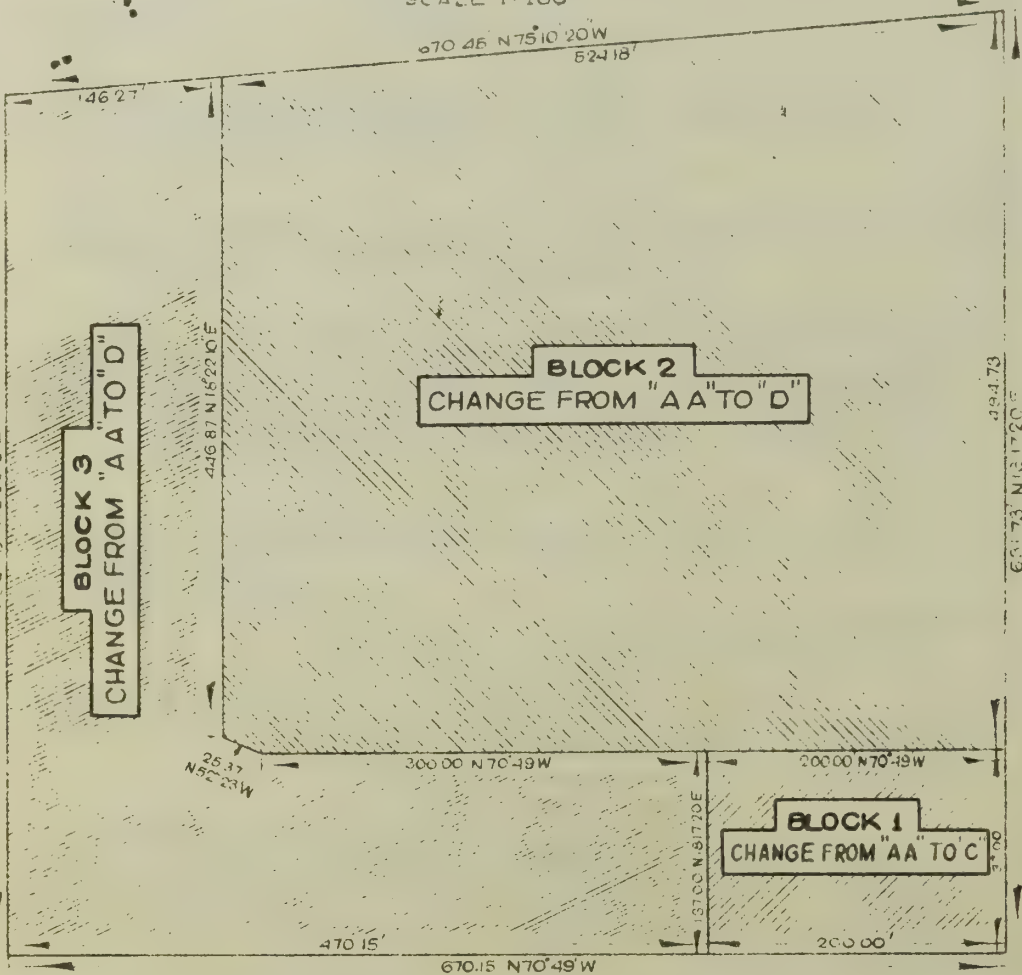
(1978) 29 R.P.D.C. 1, October 10
Adisco Limited, Owner
ZA 77-75



SCHEDULE "A" TO BY-LAW N^o
 PLAN
 SHOWING
 PART OF LOT 10 - CONCESSION 7 - TOWNSHIP OF BARTON
 NOW IN THE
 CITY OF HAMILTON
 IN THE
 REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
 SCALE 1"=100'

UPPER WENTWORTH STREET

ROAD ALLOWANCE BETWEEN
 LOTS 10 AND 11



STONE CHURCH ROAD
 ROAD ALLOWANCE BETWEEN CONCESSIONS 7 AND 8

Mackay, Mackay & Peters Limited
 ONTARIO LAND SURVEYORS
 720 MAIN STREET EAST - HAMILTON - ONTARIO

Bill No. 10

This is Schedule "A" to By-law No. 79-11 passed the 12th day of December, 1978

[Signature]
 City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
 Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 12

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE EAST SIDE OF UPPER GAGE AVENUE
IN THE AREA SOUTH OF STONE CHURCH ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-49C and E-49D of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, are amended,

- (a) by changing from "AA" (Agricultural) district and "C" (Urban Protected Residential, etc.) district to "RT-10" (Townhouse) district, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 2; and
- (c) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as schedule "A".

2. The "RT-10" and "D" District provisions respectively applicable to the lands referred to in clauses (a) and (b) of section 1, are amended to the extent only of the following variances as special requirements:

- 1. As to the "RT-10" District provisions applicable to Block 1,
 - (a) notwithstanding section 10D(7)(a) of By-law No. 6593, the density of development shall not exceed 16 dwelling units.

2. As to the "D" District provisions applicable to Block 2,

(a) section 10(1)(iii) of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "RT-10" District provisions as to Block 1; and

(b) the "D" District provisions as to Block 2,

subject to the applicable special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-547".

5. Sheets Nos. E-49C and E-49D of the District Maps are amended by marking the lands referred to in sections 1(a) and 1(b) of this by-law, "S-547".

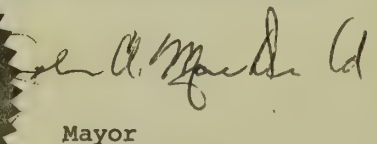
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 12th day of December 1978.


City Clerk




Mayor

ROAD ALLOWANCE BETWEEN LOTS 6 8 7
UPPER GAGE AVENUE

12/12/78

STONE CHURCH ROAD
ROAD ALLOWANCE BETWEEN CON'S 7 & 8

SCHEDULE "A" TO BY-LAW

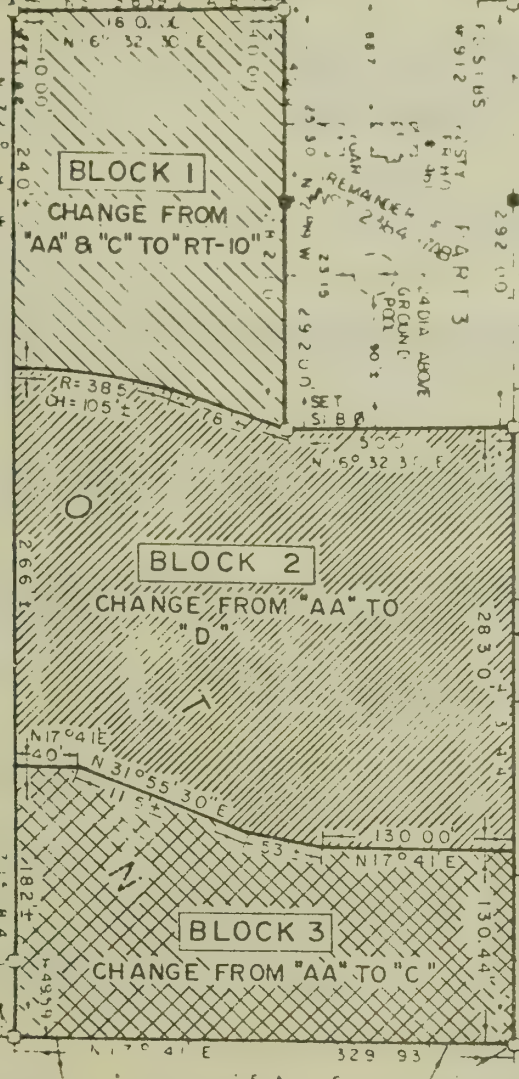
REG'D "D" PLAN
BLOCK "D" LOT 80

M-145
LOT 79

RITA AVE.

BLOCK "B" RESERVE

ZONING PLAN
OF PART OF
LOT 6, CONCESSION 8
FORMERLY IN THE
TOWNSHIP OF BARTON
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF
HAMILTON - WENTWORTH
SCALE: 1 INCH = 100 FEET



NOV 8 1978
DATE

A.T. McLAREN, O.L.S.
36 KING ST. EAST
HAMILTON, ONT
527-8659, 527-0032

Bill No. 11

This is Schedule "A" to By-law No. 79-12, passed the 12th day of December, 1978

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 13

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE EAST SIDE OF UPPER WENTWORTH STREET
IN THE AREA NORTH OF STONE CHURCH ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27C of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Blocks 2 and 3,

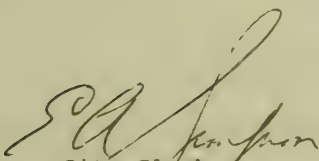
the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as schedule "A".

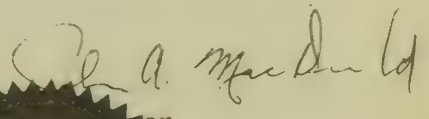
2. The "D" District provisions applicable to the lands referred to in clause (b) of section 1 are amended to the extent only of the following variances as special requirements:

- 1. As to the "D" District provisions applicable to Blocks 2 and 3,
 - (a) clause (iii) of subsection 1 of section 10 of By-law No. 6593 shall not apply; and
 - (b) notwithstanding section 10(3)(ii) of By-law No. 6593, no side yard shall be required along one side of each lot, except that a minimum side yard of 4 feet shall be required for that side of the lot flanking a street; and

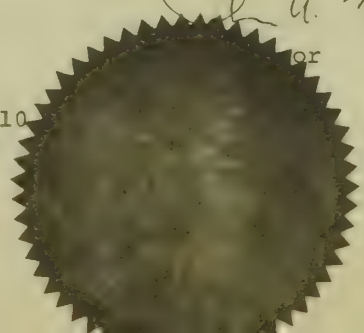
- (c) notwithstanding section 10(4) of By-law No. 6593, a lot for a single family dwelling shall have a minimum width of 30 feet and a minimum area of 3,000 square feet; and
 - (d) the land shall be subject to section 19C of By-law No. 6593.
2. As to the "D" District provisions applicable to Block 3,
- (a) notwithstanding section 2(2)J(xiii) of By-law No. 6593, front lot lines shall be located along the 20-foot private roadway; and
 - (b) section 4(3)(b) of By-law No. 6593 requiring a minimum street frontage shall not apply.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land referred to in clause (b) of section 1 be used, except in accordance with,
- (a) the "D" District provisions,
- subject to the special requirements referred to in section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-610".
5. Sheet No. E-27C of the District Maps is amended by marking the lands referred to in section 1(b) of this by-law, "S-610".
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 12th day of December 1978.

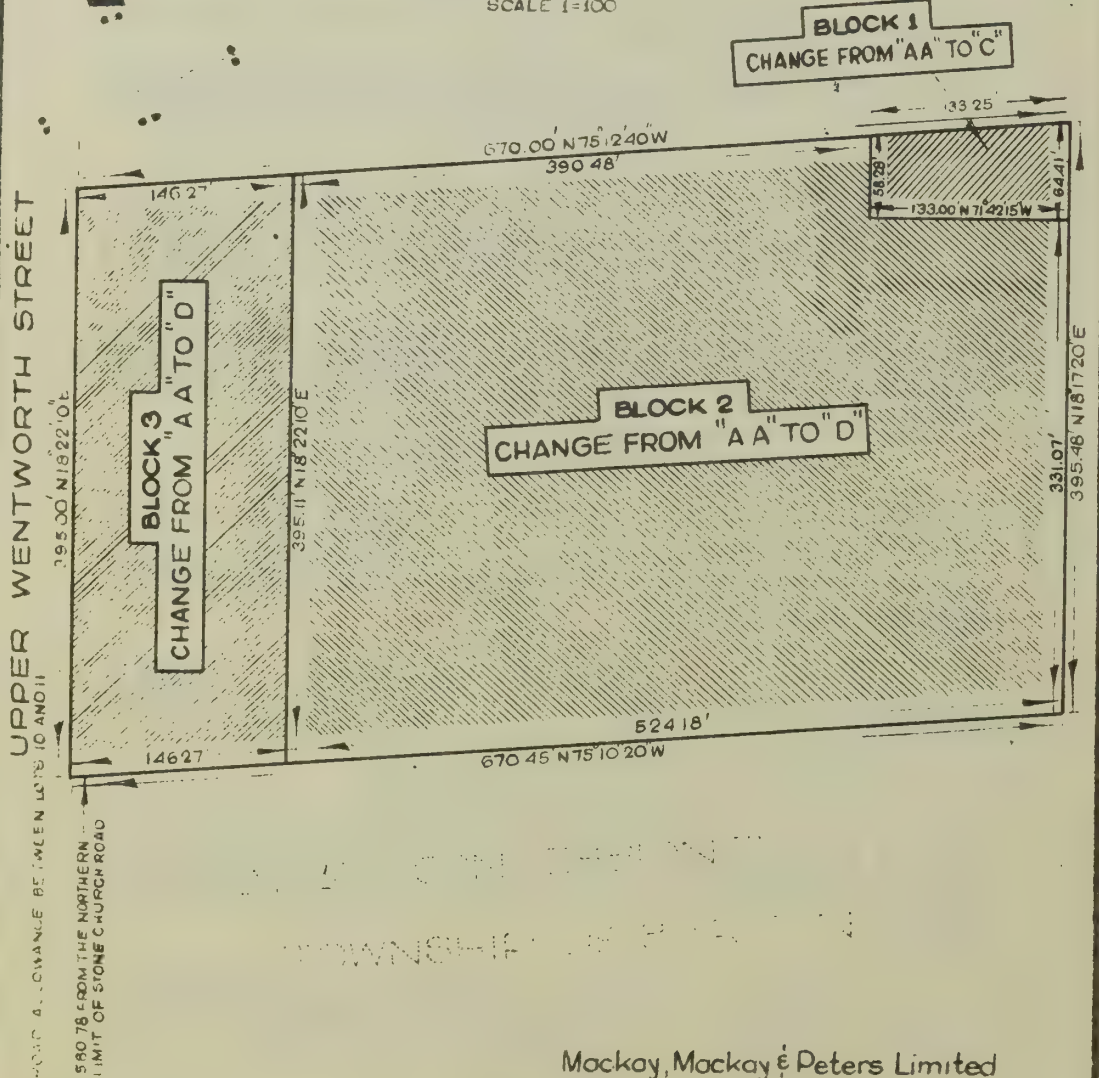

City Clerk


or

(1978) 29 R.P.D.C. 2, October 10
James McKeon, Robert Wynne and
Robert Bell, Owners
ZA 77-76



SCHEDULE "A" TO BY-LAW NO.
PLAN
 SHOWING
 PART OF LOT 10 - CONCESSION 7 - TOWNSHIP OF BARTON
 NOW IN THE
CITY OF HAMILTON
 IN THE
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
 SCALE 1"=100'



Mackay, Mackay & Peters Limited
 ONTARIO LAND SURVEYORS
 720 MAIN STREET EAST - HAMILTON - ONTARIO

Bill No. 12

This is Schedule "A" to By-law No. 79-13 passed the 12th day of December, 1978

P.A. Johnson
 City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. Macdonald
 Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 14

To Authorize:

THE PROVISION OF FACILITIES AND MATTERS
ON LAND LOCATED AT MUNICIPAL NO. 46 MARGARET STREET

WHEREAS the Development Agreement between the owners and the City of Hamilton, registered in the Registry Office for the Regional Municipality of Hamilton-Wentworth on March 25, 1977 as Instrument No. 43289 C.D., in accordance with section 19C of General Zoning By-law No. 6593, enacted in accordance with section 35a of The Planning Act, R.S.O. 1970, Chapter 349 requires that the owners,

- (a) shall provide, maintain and use, as the case may be, the facilities and matters set forth in the Agreement; and
- (b) will do all such matters or things in order to comply in all respects, and without reservation, with the Agreement; and
- (c) upon request by the City of Hamilton, will within the time limits specified by the City to the total satisfaction of the City and at the sole risk and expense of the owners, remedy any such non-compliance with the conditions of development or redevelopment in the Agreement as may, in the sole opinion of the City, exist or come into existence from time to time;

AND WHEREAS the owners have not remedied the non-compliance mentioned in the request dated September 25, 1978, made by the City, within the time specified therein;

AND WHEREAS subsection 2 of section 19C of General Zoning By-law No. 6593 provides that the facilities and matters shall be provided and maintained at the sole risk and expense of the owners and to the satisfaction of the City, and in default thereof, the provisions of section 469 of The Municipal Act shall apply;

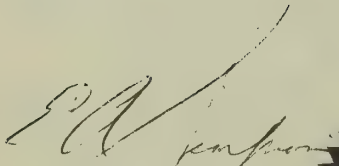
AND WHEREAS section 469 of The Municipal Act, R.S.O. 1970, Chapter 284 provides that in default of the provision and maintenance of the facilities and matters in accordance with the Development Agreement, pursuant to section 19C of General Zoning By-law No. 6593, the City of Hamilton may provide and maintain the facilities and matters at the owners' expense and recover the expenses incurred in doing so by court action or in like manner as municipal taxes.

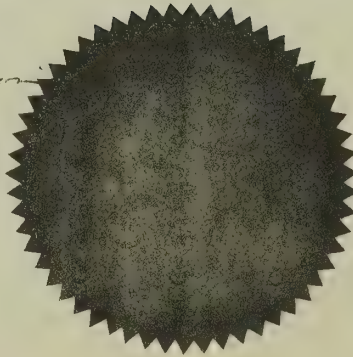
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

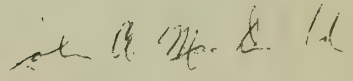
1. The Building Commissioner is hereby authorized and directed to cause the provision of the facilities and matters set out in schedule "A", hereto annexed on the land and premises more particularly described in schedule "B", hereto annexed.

2. It is hereby authorized and directed that the expenses incurred by the City of Hamilton in effecting the repairs referred to in section 1, shall be added to the collector's roll and shall be collected in like manner as municipal taxes.

PASSED this 12th day of December 1978.


City Clerk




Mayor

SCHEDULE "A"

To By-law No. 79 - 14

Municipal Address: 46 Margaret Street

1. Plant material, as shown on the landscape plan attached to the Development Agreement.
2. Fencing along the north, south and west portions of the site, as shown on the landscape plan attached to the Development Agreement.
3. "No Parking" signs, as shown on the landscape plan attached to the Development Agreement.

SCHEDULE "B"

To By-law No. 78-

Municipal Address: 46 Margaret Street

All and Singular that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, being composed of all of Lot Number Twenty (20) as shown on a plan of survey prepared for Thomas Stinson, registered in the Land Registry Office at Hamilton as Plan 227 and described as follows:

PREMISING THAT the bearings used herein are astronomic and referred to the Ontario Co-ordinate System, Zone 10, Central Meridian 79 degrees and 30 minutes west longitude;

COMMENCING AT an iron bar planted at the northeastern corner of Lot Number 20;

THENCE south 17 degrees 24 minutes and 45 seconds west along the eastern limit of Lot Number 20, being also along the western limit of Margaret Street, 50 feet more or less to an iron bar planted at the southeastern corner of said Lot Number 20;

THENCE north 67 degrees 39 minutes and 45 seconds west along the southern limit of Lot Number 20, 131 feet 8-5/8 inches more or less to an iron bar planted at the southwestern corner thereof;

THENCE north 17 degrees 00 minutes and 45 seconds east along the western limit of Lot Number 20, 50 feet more or less to an iron bar planted at the northwestern corner thereof;

THENCE south 67 degrees 39 minutes and 45 seconds east along the northern limit of Lot Number 20, 132 feet 05/8 inches more or less to the point of commencement.

The above-described parcel of land contains by admeasurement 6,569 square feet be the same more or less.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 15

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE NORTH SIDE OF LIMERIDGE ROAD
BETWEEN UPPER WELLINGTON STREET AND UPPER WENTWORTH STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18A of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

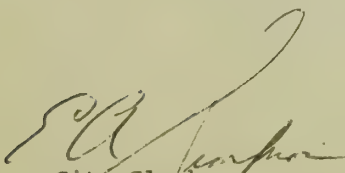
- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district the land,

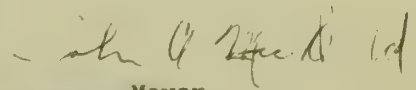
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 12th day of December 1978.


City Clerk


Mayor

12/12/78

SCHEDULE "A" TO BY-LAW NO.78

AA

AA

LIMERIDGE

ROAD

E.

37

333

130.00'

355

359

363

373

379

384

37

AA

AA

LEGEND



Lands on Part of Sheet No. E-18A of the Zoning District Maps to be re-zoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.



Scale: 1" = 100'

Bill No. 14

This is Schedule "A" to By-law No.79-15 passed the 12th day of December, 1978

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 16

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT NO. 916 MOHAWK ROAD WEST

WHEREAS it is intended to change the zoning on the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-43A of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "RT-20" (Townhouse-Maisonette) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "D" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variances as special requirements:

1. Section 10(1)(iii) of By-law No. 6593 shall not apply.
2. Notwithstanding section 10(3)(ii) of By-law No. 6593, no side yard shall be required along one side of each lot, except that a minimum side yard of 4 feet shall be required for that side of a lot flanking a street.
3. Notwithstanding section 10(4) of By-law No. 6593, a lot for a single family dwelling shall have a minimum width of 29 feet and a minimum area of 3,000 square feet.
4. The land shall be subject to section 19C of By-law No. 6593.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "D" District provisions,

subject to the special requirements referred to in section 2.

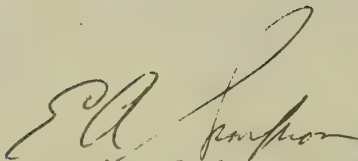
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-612".

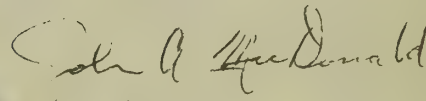
5. Sheet No. W-43A of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-612".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

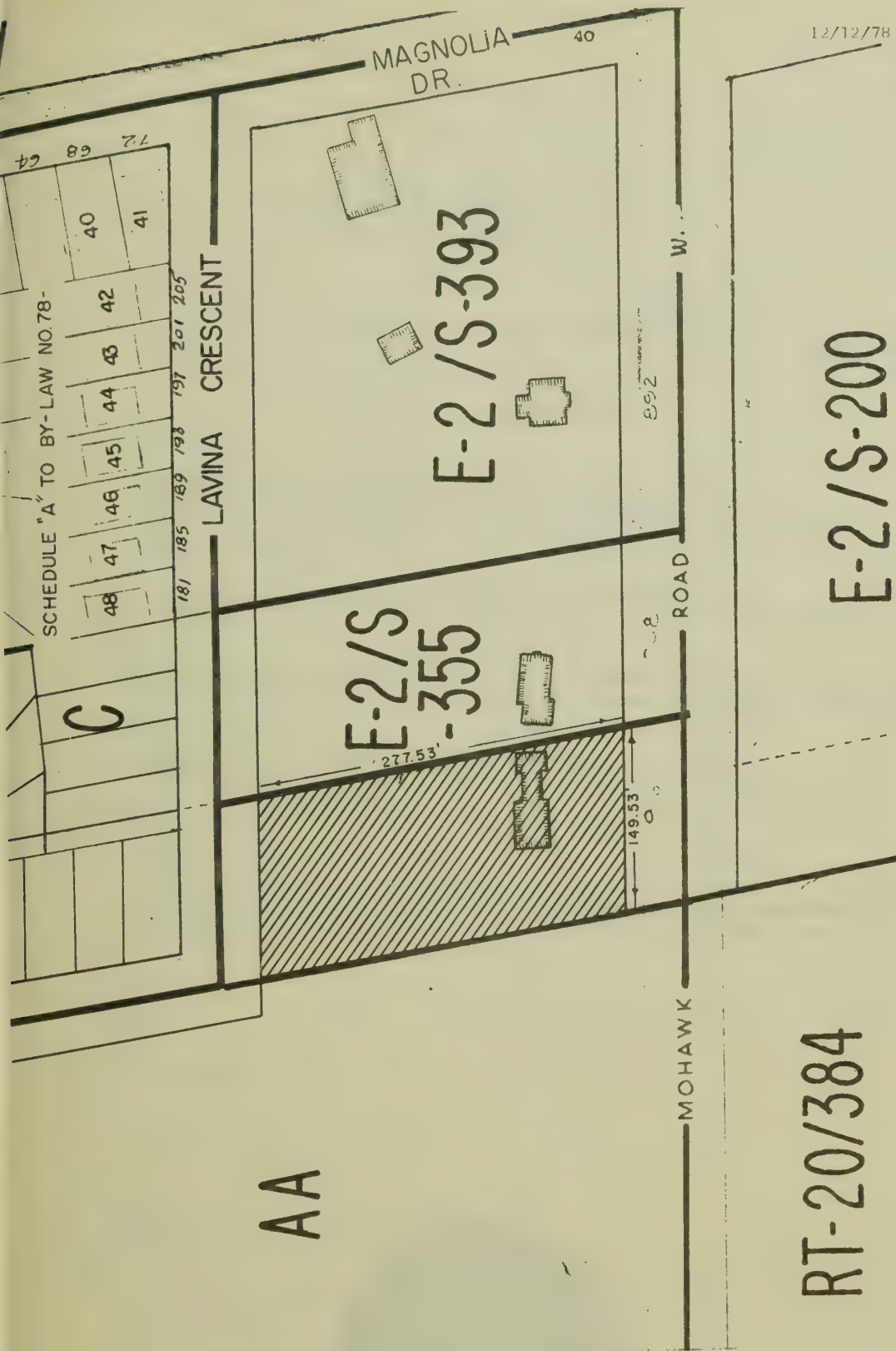
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 12th day of December 1978.


City Clerk


Mayor





LEGEND



Lands on Part of Sheet No. W-43A of the Zoning District Maps to be re-zoned from "RT-20" (Townhouse - Maisonette) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.

Scale, 1" = 100'

Bill No. 14

This is Schedule "A" to By-law No. 79-16 passed the 12th day of December, 1978

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 17

To Amend:

Cemeteries By-law No. 8861

Respecting:

REVISED TARIFF OF CHARGES

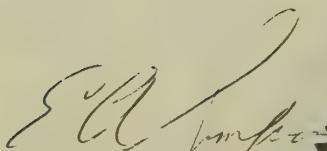
WHEREAS By-law No. 8861, passed on the 12th day of January, 1960, in accordance with The Cemeteries Act, established a tariff of charges;

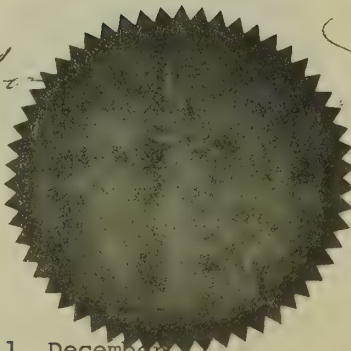
AND WHEREAS it is desirable to revise the tariff of charges.

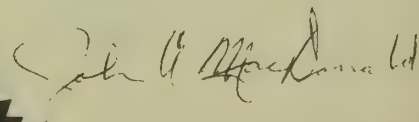
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 8861, as amended by By-laws Nos. 74-303, 76-187, 76-337, 77-292 and 78-276, is further amended by striking out Schedule "A-1978" and substituting in lieu thereof "B-1978" hereto annexed.
2. The Director of Cemeteries is authorized to make application to the Minister of Commercial and Consumer Relations, Cemeteries Branch, for approval of this by-law.

PASSED this 12th day of December 1978.


City Clerk




Mayor

SCHEDULE "B-1978"
TO
BY-LAW NO. 79 - 17

SCHEDULE A -- FOURTEENTH
REPORT OF THE PARKS AND

REVISED TARIFF OF CHARGES - 1979 RECREATION COMMITTEE

(Cemeteries By-law No. 8861)

Resident and Non-Resident Realty Taxpayers	Non-Residents
---	---------------

I

OPENING

6 ft. adult, including dressing and lowering
device.....

<u>Dressing</u>	<u>Device</u>	<u>Labour</u>		
\$14.00	\$12.00	\$114.00	140.00	248.00

8 ft. adult, including dressing and device..... 189.00 320.00

6 ft. child, including dressing and device

40 " outer case.....	98.00	212.00
Including dressing only.....	86.00	200.00
Without dressing and device.....	72.00	186.00
60" outer case.....	109.00	237.00
Including dressing only.....	97.00	225.00
Without dressing and device.....	83.00	211.00

8 ft. child, including dressing and device

40" outer case.....	109.00	237.00
Including dressing only.....	97.00	225.00
Without dressing and lowering device.....	83.00	211.00
60" outer case.....	121.00	266.00
Including dressing only.....	109.00	254.00
Without dressing and device.....	95.00	240.00

Cremation..... 47.00 100.00

Tent..... 60.00 140.00

SINGLE GRAVES IN A ROW

6 ft. adult, including dressing and device
(Grave 129.00, Burial 140.00)..... 269.00
(Grave 240.00, Burial 248.00)..... 488.00

8 ft. adult, including dressing and device
(Grave 129.00, Burial 189.00)..... 318.00
(Grave 240.00, Burial 320.00)..... 560.00

Child 40" to 60" outer case..... 33.00 65.00

Opening charges additional
Child 60" outer case..... 50.00 98.00
Opening charges additional

Child Special - up to One Month Old
(Grave 14.00, Burial 17.00)..... 31.00
(Grave 24.00, Burial 39.00)..... 63.00

WELFARE
(Grave 98.00, Burial 140.00)..... 238.00

VETERAN'S PLOT
(Grave 129.00, Burial 140.00)..... 269.00

OPENING CHARGES (new Crypts Only)
MANSSION OF MEMORIES (stonecy Creek Mausoleum). 116.00 206.00

NOTE: THIRTY-FIVE PER CENT OF ALL LOT SALES GO INTO PERPETUAL CARE.

I - Continued

	Resident and Non-Resident Realty Taxpayers	Non-Residents
<u>LOWERING - Opening charges not included</u>		
ADULT		
From 6 ft. to 8 ft. - shell.....	97.00	221.00
From 6 ft. to 8 ft. - steel vault.....	188.00	426.00
From 6 ft. to 8 ft. - Concrete vault or crypt.	226.00	509.00
CHILD		
From 6 ft. to 8 ft. - 5 to 10 years.....	67.00	150.00
From 6 ft. to 8 ft. - under 5 years.....	32.00	72.00
<u>REMOVALS</u>		
ADULT		
From one lot to another plus opening charges		
Shell.....	188.00	425.00
Vault.....	416.00	936.00
CHILD		
From one lot to another plus opening charges		
Shell.....	68.00	158.00
Vault.....	130.00	290.00
CREMATION.....	47.00	100.00
<u>ADDITIONAL SERVICES</u>		
Tent in Cemetery.....	60.00	140.00
Rental tent outside cemetery.....	64.00	140.00
Rental of dressing for use outside cemetery..	50.00	117.00
Rental of lowering device outside cemetery...	50.00	117.00
<u>PLANTING</u>		
Preparing ground and planting flowers per grave	14.00	
Preparing ground and planting one shrub per grave.....	17.00	

NOTE: Flowers and shrubs are to be provided by the family at their expense.

SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE

	Resident and Non-Resident Realty Taxpayers	Non-Residents
<u>ADULT SINGLE GRAVE</u>		
Where location may not be selected, but are allotted in sequence in the row and may not be purchased in advance of need.....	129.00	240.00
(Double depth privileges)		
<u>CHILD SINGLE GRAVE</u>		
40" outer case.....	33.00	65.00
60" outer case.....	50.00	98.00
<u>PREFERRED SINGLE GRAVE</u>		
Where location may be selected and purchased in advance of need.....	225.00	422.00
<u>URN GARDEN</u>	76.00	140.00
<u>VETERAN'S PLOT</u> (Single Grave).....	129.00	
<u>WELFARE</u> (Single Grave).....	98.00	
<u>TWO GRAVE LOT</u>	523.00	977.00
<u>TWO GRAVE SECTION</u> - Eastlawn, Sections 15, 16, 17 (6 ft. burials only).....	427.00	798.00
<u>THREE GRAVE LOTS</u> - Woodland.....	781.00	1,464.00
<u>FOUR GRAVE LOTS</u> - Woodland Sections 21, 22 & 25 and Eastlawn Section 19.....	1,023.00	1,950.00
<u>FOUR GRAVE LOTS</u> - Woodland Section 15.....	1,890.00	3,540.00
<u>MANSION OF MEMORIES</u> - Mausoleum Crypt.....	364.00	600.00
<u>CHILD SPECIAL</u>	14.00	24.00
<u>WOODEN SHELLS</u> - Surcharge.....	26.00	
<u>CRYPTS</u> - Standard.....	86.00	
Oversize.....	97.00	
Youth.....	78.00	
<u>SURCHARGE ON WOODEN SHELLS</u>		
Total charge goes into Perpetual Care Fund.		
No charge on casket only.		

NOTE: THIRTY-FIVE PER CENT OF ALL LOT SALES GOES INTO PERPETUAL CARE.

III

FOUNDATIONS AND MARKERS

	Resident and Non-Resident Realty Taxpayers	Non-Residents
For construction of foundation six feet deep for upright monument - per square inch of surface.....	.32	.74
For setting a Flat Marker (not larger than 18 inches wide, 24 inches long). Thickness 4 inches minimum and 8 inches maximum.....	39.00	90.00
D. V. A. Upright.....	34.00	90.00
D. V. A. Flat.....	34.00	90.00
Bronze Vase.....	39.00	90.00
Welfare Markers - \$39.00 Plus \$13.00 into Perpetual Care Fund.....	52.00	
Veterans' Upright Crosses.....	No charge	

PREFERRED SINGLES

ONLY A flat granite marker 24" in length, 18" in width and 4" in thickness is permitted,

SINGLE GRAVES IN A ROW

A flat granite marker 24" in length, 18" in width and 4" in thickness is permitted, or smaller.

URN GARDEN SECTION

Only a flat marker 12" in length, and 10" in width.

CHILDRENS SECTION

Only a flat marker 18" in length, and 14" in width.

TWO GRAVE LOT SECTION

Upright monument is allowed, maximum length of base must not exceed 3'2". Maximum width must not exceed 1'2". All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4'. All memorial bases must have a projection of at least 3" from the edge of the die or cross on all sides.

THREE AND FOUR GRAVE LOT SECTION

Maximum base area not to exceed 10% of lot area. Total over-all height to be governed by base size for appearance and balance. All memorial bases must have a projection of at least 3" from the edge of the die or cross on all sides.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 18

To Remove:

"DAVID BEN SURVEY" REGISTERED PLAN OF SUBDIVISION
FROM PART LOT CONTROL

WHEREAS subsection 5 of section 29 of The Planning Act, R.S.O. 1970, Chapter 349, provides as follows:

- (5) Notwithstanding subsection 4, the council of a municipality may by by-law provide that subsection 4 does not apply to land that is within such registered plan or plans of subdivision or part or parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection 4 ceases to apply to such land,.....

AND WHEREAS subsection 4 of section 29 of The Planning Act establishes part lot control of land within a registered plan of subdivision;

AND WHEREAS authority to approve by-laws enacted under subsection 5 of section 29 of The Planning Act was delegated to the Council of The Regional Municipality of Hamilton-Wentworth by O. Reg. 443/75;

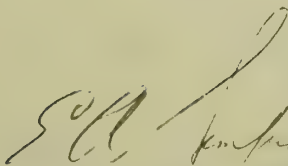
AND WHEREAS it is desirable to exempt certain lands from part lot control.

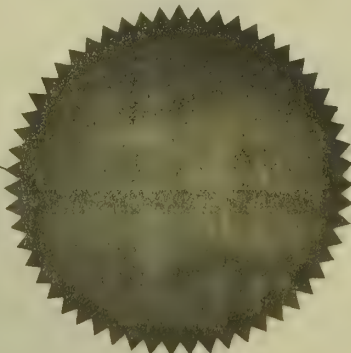
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

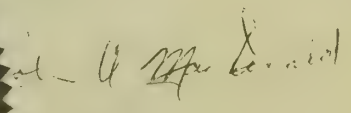
1. Subsection 4 of section 29 of The Planning Act, R.S.O. 1970, Chapter 349 as amended by Statutes of Ontario 1972, Chapter 118, S. 3, shall not apply to the following lands:

1. Lots 1 - 160, inclusive on Registered Plan M-235, registered on the 26th day of August, 1977.

PASSED this 12th day of December 1978.


City Clerk




Mayor

BY-LAW NO. 79~19

TO RESCIND BY-LAW NO. 78 - 279

WHEREAS the Council of The Corporation of the City of Hamilton pursuant to Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 as amended, enacted on October 11, 1977 By-law 77-248 to establish and lay out the lands described in Schedule "A" appended hereto to form a part of Enola Avenue;

AND WHEREAS by inadvertence the Council of The Corporation of the City of Hamilton pursuant to Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 as amended enacted on October 31, 1978 By-law 78-279 to establish and lay out the lands described in Schedule "B" appended hereto to form a part of Enola Avenue;

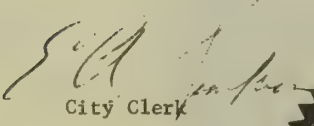
AND WHEREAS the said By-laws 77-248 and 78-279 are virtually identical;

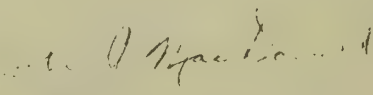
AND WHEREAS for purposes of clarity The Corporation of the City of Hamilton deems it expedient to repeal the said By-law 78-279 but so as not to affect the status or continuance in force of the said By-law 77-248.

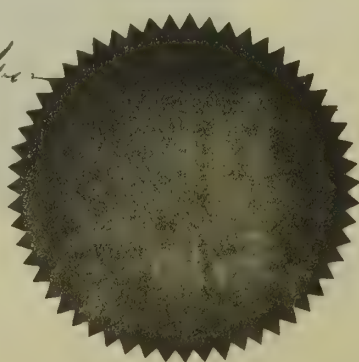
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law 78-279 respecting the establishment and laying out a portion of highway known as Enola Avenue is hereby repealed;
2. The repeal of the said By-law 78-279 shall in no way repeal By-law 77-248 respecting the establishment and laying out a portion of highway known as Enola Avenue and the said By-law 77-248 continues to be of full force and effect.

PASSED this 12th day of December A.D. 1978


City Clerk


Mayor



SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Block 'DX' according to Eleanor Gardens (Phase 1) filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-199.

The above described parcel being shown in heavy outline on Plan N.S. 2289 Surveys hereto attached.

SCHEDULE "B"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Block "DX" according to Eleanor Gardens (Phase 1) filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-199.

The above described parcel being shown in heavy outline on Plan N.S. 2314 Surveys hereto attached.

BY-LAW NO. 79- 20

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 12TH DAY OF DECEMBER A. D., 1978.

WHEREAS by Section 9 of the Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

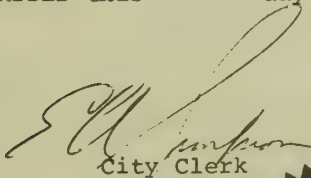
AND WHEREAS by Subsection 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

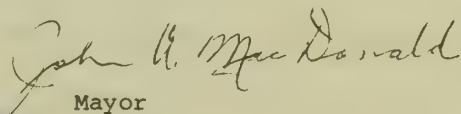
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

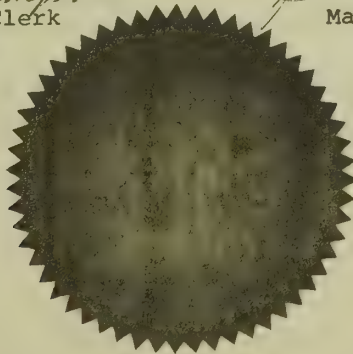
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 12th day of December A. D., 1978.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 21

To Amend:

By-Law No. 77-283

Respecting:

LAND LOCATED ON THE WEST SIDE OF CLIFFORD STREET

WHEREAS By-Law No. 77-283, passed on the 8th day of November, 1977 rezoned lands on the west side of Clifford Street, as shown on Schedule "A1" to By-law No. 77-283, from "D" (Urban Protected Residential- One and Two Family Dwellings, etc.) district to "C" (Urban Protected Residential, etc.) district;

AND WHEREAS the Ontario Municipal Board did approve the rezoning except the land situate at Municipal Nos. 8 and 14 Clifford Street;

AND WHEREAS it is desirable to return the zoning for the aforesaid properties from "C" to "D".

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

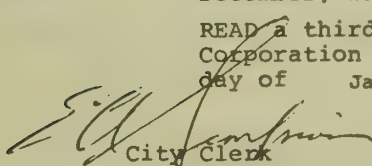
1. Sheet No. W-47 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

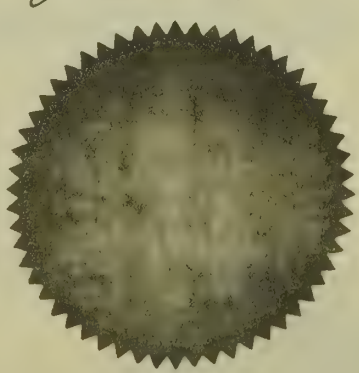
READ a first and second time on the 12th day of December, 1978.

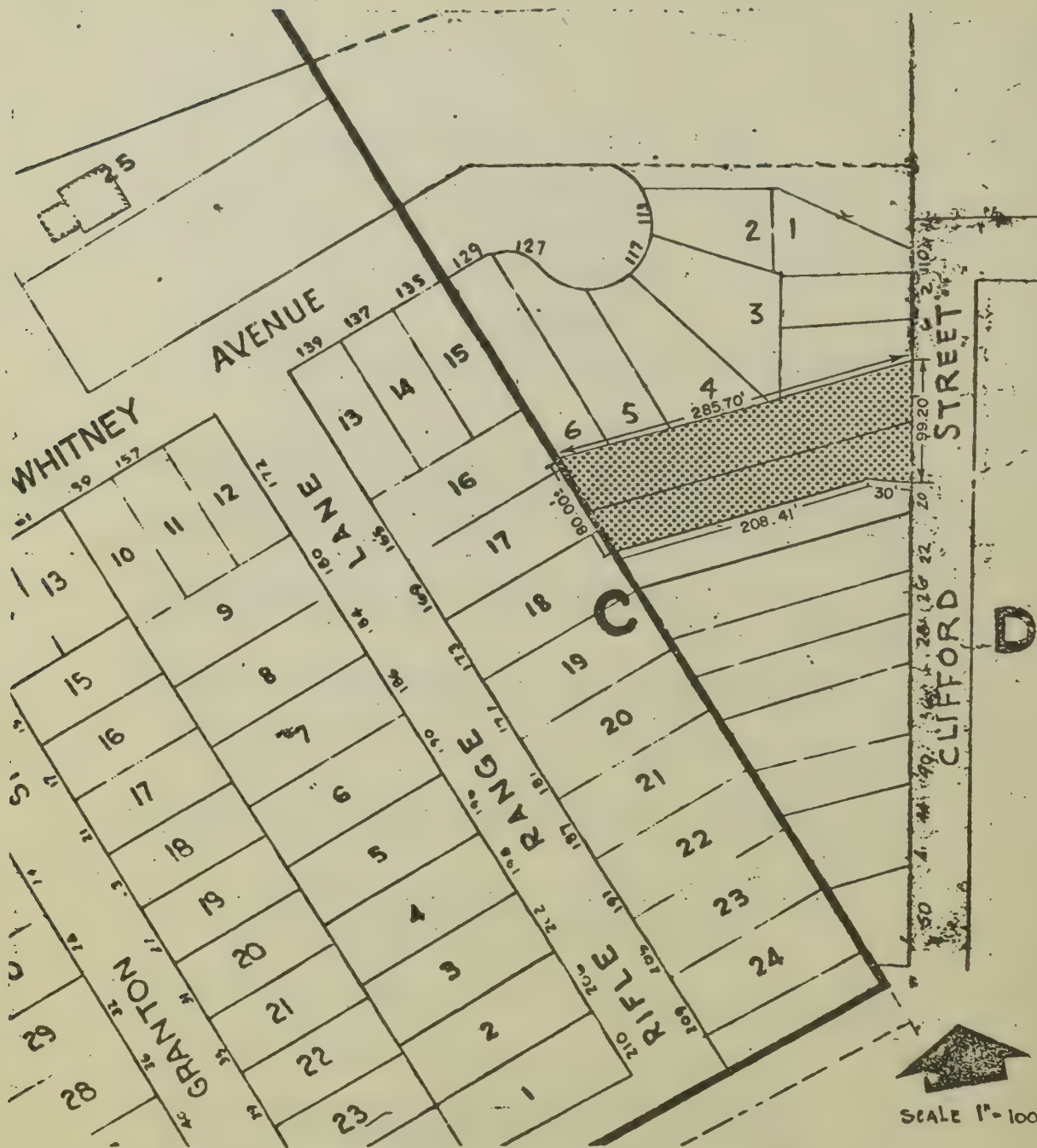
READ a third time and passed by the Council of the Corporation of the City of Hamilton this 9th day of January, 1979.


City Clerk


Mayor

O.M.B. Decision, July 20, 1978
Amending Decision, September 19, 1978
O.M.B. Files Nos. R 773162; R 78191
City Initiative 77-U
Legal File No. 40-5.1258





LEGEND



Lands on part of sheet No. W-47 of the Zoning District maps to be excluded from By-law No. 77-283.

Bill No. 5

This is Schedule "A" to By-law No. 79-21 passed the 9th day of Jan. 1979

Ed Simpson
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. D. D.
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 22

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT NO. 217 LIMERIDGE ROAD WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-17B of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

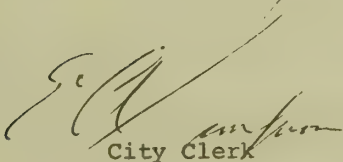
- (a) by changing from "AA" (Agricultural) district and "RT-10" (Townhouse) district to "C" (Urban Protected Residential, etc.) district the land,

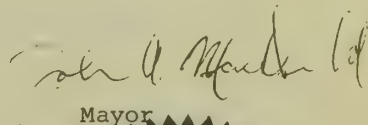
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 9th day of January 1979.


City Clerk


Mayor

(1978) 31 R.P.D.C. 1, October 31
V. DiBernardo and DiBernardo
Construction Limited, Owners
ZA 78-40

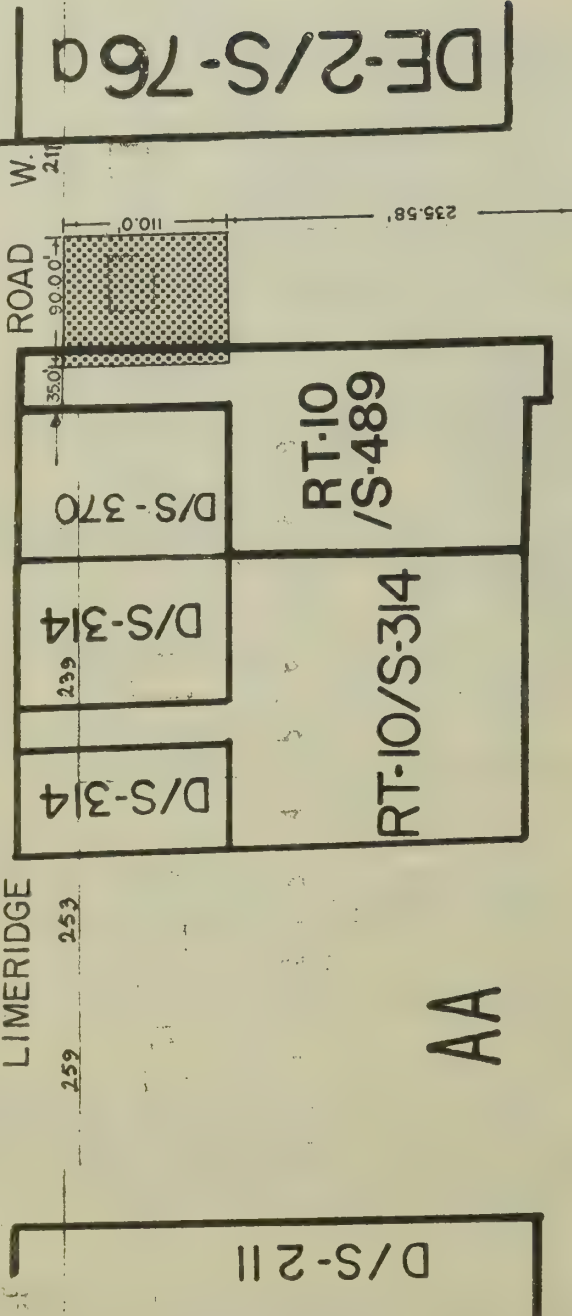




Scale 1"=100'

SCHEDULE 'A' TO BY-LAW No 78-

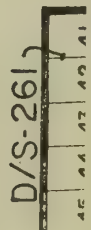
AA E/S-69a



AA

LEGEND

Lands on Part of Sheet No. W-17B of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District and "RT-10" (Townhouse) District to "C" (Urban Protected Residential, etc.) District.



Bill No. 20

This is Schedule "A" to By-law No. 79-22 passed the 9th day of January, 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79-23

To Amend:

THE PROPERTY STANDARDS BY-LAW NO. 74-74

WHEREAS By-law No. 74-74 was enacted on the 30th day of April, 1974 in accordance with section 36 of The Planning Act, R.S.O. 1970, Chapter 349, as re-enacted by S.O. 1972, Chapter 118, section 7;

AND WHEREAS it is desirable to amend By-law No. 74-74 due to changes in the building code regulations and to provide uniformity and to streamline enforcement.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clauses (b), (c) and (u) of section 2 of By-law No. 74-74 are repealed and the following clauses are substituted in lieu thereof:

- 2(b) "building" means any structure used or intended to be used for supporting or sheltering any use or occupancy;
- 2(c) "building code" includes,
 - (i) The Building Code Act and regulations made thereunder;
 - (ii) The Ontario Water Resources Act and the plumbing regulations made thereunder;
 - (iii) a By-law enacted under section 38 of The Planning Act.

2. The words "building by-law" where they occur in By-law No. 74-74, are struck out and "building code" substituted therefor.

3. Section 2 of By-law No. 74-74 is amended by adding thereto the following clause:

- (u) "unsafe condition" means any condition that could cause hazard to life, limb, or health of any person authorized or expected to be on or about the premises.

4. Subsection 1 of section 4 of By-law No. 74-74 is repealed.

5. Clause (c) of subsection 3 of section 4 of By-law No. 74-74 is repealed.

6. Subsection 1 of section 6 of By-law No. 74-74 is amended by striking out "1 foot 6 inches" in the second line and substituting in lieu thereof "2 feet".

7. Section 7 of By-law No. 74-74 is repealed.

8. Section 8 of By-law No. 74-74 is repealed and the following substituted therefor:

Drainage and Plumbing Systems

8. (1) Drainage and plumbing systems shall be installed, operated and maintained on all property.
- (2) Water run-off from roof surfaces shall discharge into an eavestrough or gutter and thence to a downpipe, except as follows:
 1. Where the roof of a building is designed to prevent and does prevent water run-off,
 - (a) onto adjacent property; or
 - (b) that may cause deterioration of the building.
- (3) The water run-off referred to in subsection 2 shall discharge from the downpipe into a storm sewer, except as follows:
 1. Where downpipes are arranged to discharge water run-off not less than three feet from the building and the water is completely contained on the property.
- (4) The drainage and plumbing systems shall be installed and maintained,
 - (a) in good working order; and
 - (b) free from leaks, defective or dripping taps and other defects; and
 - (c) in accordance with the requirements of the building code.
- (5) The eavestrough or gutter shall be maintained,
 - (a) watertight and free from leaks; and
 - (b) in good working order; and
 - (c) free from unsafe conditions.

9. Sections 9 and 12 of By-law No. 74-74 are repealed and the following substituted therefor:

Ventillation Systems

9. (1) Ventillation systems shall be installed, operated and maintained for all rooms and spaces within all buildings in such a manner as to prevent the accumulation of,

- (a) heat;
- (b) contaminants,

that may create an unsafe condition.

(2) Ventillation systems shall provide for minimum air changes in accordance with the requirements of the building code.

(3) The ventillation system shall be,

- (a) regularly cleaned; and
- (b) maintained at all times,
 - (i) in good working order; and
 - (ii) free from unsafe conditions; and
 - (iii) in accordance with the requirements of the building code; and
- (c) maintained at all times in good repair.

Heating and Mechanical Systems

12. (1) Except for spaces exempted by the building code, a heating system shall be installed that is capable of supplying, during normal hours of occupancy of the building, sufficient heat to maintain a temperature of not less than 20 degrees Celsius or 68 degrees Fahrenheit at the outside design temperature specified in the building code.

(2) The heating system shall be operated and maintained to provide the temperature required under subsection 1.

(3) The heating system and every other mechanical system shall be,

- (a) operated and maintained,
 - (i) in good working order; and
 - (ii) free from unsafe conditions; and
 - (iii) in accordance with the requirements of the building code; and
- (b) maintained at all times in good repair.

10. Section 10 of By-law No. 74-74 is repealed.

11. Section 11 of By-law No. 74-74 is repealed and the following substituted therefor:

Electrical Systems

11. (1) Every dwelling unit and, where required by the building code and the Ontario Electrical Code, every building shall be,

(a) connected to an electrical supply system; and

(b) wired to receive electricity.

(2) The capacity of the connection to the building and the system of circuits and electrical outlets distributing the electrical supply within the building shall be,

(a) adequate for use and intended use; and

(b) maintained at all times,

(i) free from unsafe conditions; and

(ii) in accordance with the requirements of the building code.

12. Sections 14, 16 and 18 of By-law No. 74-74 are repealed.

13. Subsection 1 of section 19 is repealed and the following substituted therefor:

(1) Every yard, parking lot, vacant property shall be kept free from,

(a) litter, debris, rubbish or refuse;

(b) salvage materials, unused vehicles or parts thereof, except as permitted by By-law of the City;

(c) metal, wood and rubber objects, barbed and other wire;

(d) unused or surplus animal, vegetable, chemical products that are the by-products of any process, or that may be or become contaminated;

(e) noxious weeds, and excessive growth of other weeds;

(f) unsafe conditions.

14. Subsection 5 of section 19 of By-law No. 74-74 is amended by striking out "suitable fence, hedge, or screening" in the third and fourth lines and substituting in lieu thereof "a closed fence not less than 5 feet in height and not more than 6 feet in height".

15. Section 19 of By-law No. 74-74 is amended by adding thereto the following:

(6) Ground cover, hedges, trees, landscaping and site facilities required as a condition of site development or redevelopment shall be maintained in living condition and in a good state of repair.

16. Section 24 is repealed and the following substituted therefor:

Natural Lighting

24. Every habitable room adjacent to an exterior wall, except a kitchen, shall be provided with such sources of natural light equal in area to 5 per cent of the floor area of the room but not less than 6 square feet.

17. Sections 25, 26, 27 and 28 of By-law No. 74-74 are repealed.

18. Section 32 of By-law No. 74-74 is repealed and the following substituted therefor:

32. (1) The Chief Property Standards Officer is hereby assigned the responsibility of administering and enforcing this By-law.

(2) The Chief Property Standards Officer may permit the maintenance of property to alternate standards required by any provision of this By-law.

(3) The alternate standards shall be in accordance with the general purpose and intent of this By-law.

(4) Where alternate standards are permitted, they shall have the same effect and force as standards required by any provision of this By-law.

19. Section 34 of By-law No. 74-74 is repealed and the following substituted therefor:

34. (1) Every owner may make an application to the City for a certificate of compliance by lodging the application with the Chief Property Standards Officer.

(2) The applicant shall pay the fees referred to in subsections 3 and 4, for the certificate of compliance at the time the application is made.

(3) Except as provided in subsection 4, the fee for a certificate of compliance shall be calculated as follows:

1. Where the gross floor area is not in excess of 10,000 square feet, the fee shall be \$10.00 for each 1,000 square feet or part thereof of gross floor area.
2. Where the gross floor area is in excess of 10,000 square feet, the fee shall be \$2.00 for each 1,000 square feet or part thereof of the gross floor area in excess of 10,000 square feet.

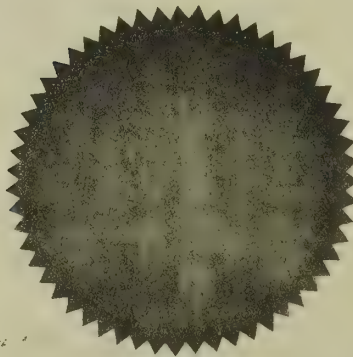
(4) The fee for a certificate of compliance for,

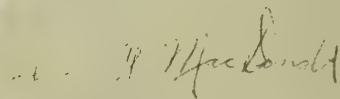
- (a) a single family dwelling shall not be less than \$50.00;
- (b) any building other than a single family dwelling shall not be less than \$100.00.

(5) For the purpose of this section, "gross floor area" means the space on every storey of the building between exterior walls.

PASSED this 9th day of January 1979.


City Clerk




Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 24

To Authorize:

REPAIR OF LAND LOCATED AT MUNICIPAL NO. 199 MacNAB STREET SOUTH

WHEREAS by notice dated the 20th day of July, 1978 to the owner and all persons shown by the records of the registry office, the land titles office and the sheriff's office to have an interest in the land located at Municipal No. 199 MacNab Street South, the said persons were afforded an opportunity to appear before the Property Standards Officer on or before August 8, 1978 and to make representations in connection therewith;

AND WHEREAS by order served on the 18th day of September, 1978, the owner was required to effect repairs of the premises in accordance with the particulars contained therein, within 30 days of the service of the order;

AND WHEREAS the owner has not effected the repairs within the time specified in the order;

AND WHEREAS no notice of appeal has been received by the secretary of the Property Standards Committee within 14 days of service of the order;

AND WHEREAS clause (b) of subsection 7 of section 36 of The Planning Act, R.S.O. 1970, Chapter 349, provides that if the repairs are not done within the time specified in the order, the municipality may carry out the repairs at the expense of the owner;

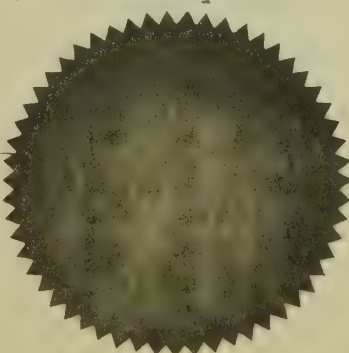
AND WHEREAS in accordance with section 40 of The Planning Act and section 469 of The Municipal Act, R.S.O. 1970, Chapter 284, in default of the repairs to be done by the owner, the City of Hamilton may make the repairs at the owner's expense and recover the expenses incurred in doing so by court action or in like manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to cause the repairs set out in schedule "A" hereto annexed to be effected on the land and premises more particularly described in schedule "B", hereto annexed.
2. It is hereby authorized and directed that the expenses incurred by the City of Hamilton in effecting the repairs referred to in section 1, shall be added to the collector's roll and shall be collected in like manner as municipal taxes.

PASSED this 9th day of January 1979.


City Clerk




Mayor

SCHEDULE "A"

To By-law No. 79- 24

Municipal Address: 199 MacNab Street South

ITEM	SECTION #	PARTICULARS OF THE REPAIRS TO BE EFFECTED UNDER BY-LAW NO. 74-74
1.	4 (2)	Chimneys are to be rebuilt. Unused chimneys may be removed.
2.	4 (2)	Rotted soffit boards are to be replaced.
3.	20 (2)	Remove or re-install television aerial.
4.	4 (3) (b)	Roof of main building and rear annex are to be made water tight.
5.	4 (5)	Exterior wood and metal to be treated with a pro- tective coat of paint or other sealing or coating material.
6.	6 (2)	Rotted sections of fire escape are to be removed and rebuild fire escape.
7.	4 (3) (c)	Connect rain water leader at south side of building to the eavestrough.
8.	4 (6)	Window frames and sash on third floor to be repaired and reglazed.

SCHEDULE "B"

To By-law No. 79-24

Municipal Address: 199 MacNab Street South

All and Singular that certain parcel or tract of land and premises situate lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and Province of Ontario and being composed of parts of Lots Numbers Forty-five (45) and Forty-six (46) on the North side of Charlton Avenue in the block bounded by James, Robinson, MacNab and Charlton Avenue, in Peter H. Hamilton's Survey of lots, South of Hunter Street in said City which said parcel may be described as follows:

COMMENCING on the Easterly margin of MacNab Street at the North-West angle of Lot Number Forty-six aforesaid; THENCE Easterly along the Northerly margin of said lots Forty-six and Forty-five, a distance of Ninety-four (94') feet more or less to a fence and a lane; THENCE parallel with MacNab Street in a Southerly direction along the Westerly side of said lane, Fifty (50') feet more or less to a fence erected; THENCE Westerly along said fence to MacNab Street aforesaid; THENCE Northerly along the East margin of MacNab Street, Fifty (50') feet more or less to the place of beginning. TOGETHER WITH the right to use the lane now existing to the East, North and West of the block of six houses facing on Charlton Avenue, erected by the Hamilton Real Estate Association.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 25

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE SOUTH EAST CORNER
OF BRUCEDALE AVENUE AND UPPER SHERMAN AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G" (Neighbourhood Shopping Centre, etc.) District provisions of By-law No. 6593, applicable to the lands the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. A dance studio shall be a permitted use.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "G" District provisions,

subject to the special requirement referred to in section 1.

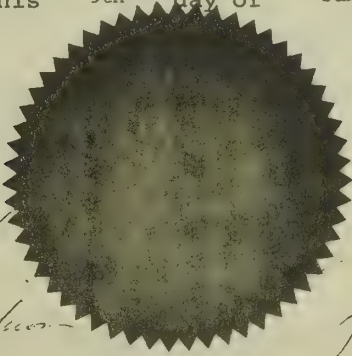
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-617".

4. Sheet No. E-36 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-617".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 9th day of January 1979.



E. A. [Signature]
City Clerk

John A. Mc Donald
Mayor

(1978) 35 R.P.D.C. 4, November 28
R. W. Scott and M. A. Parato, Lessees
ZA 78-53

This is Schedule "A" to By-law No. 79-25 passed the 9th day of Jan. 1979

THE CORPORATION OF THE CITY OF HAMILTON

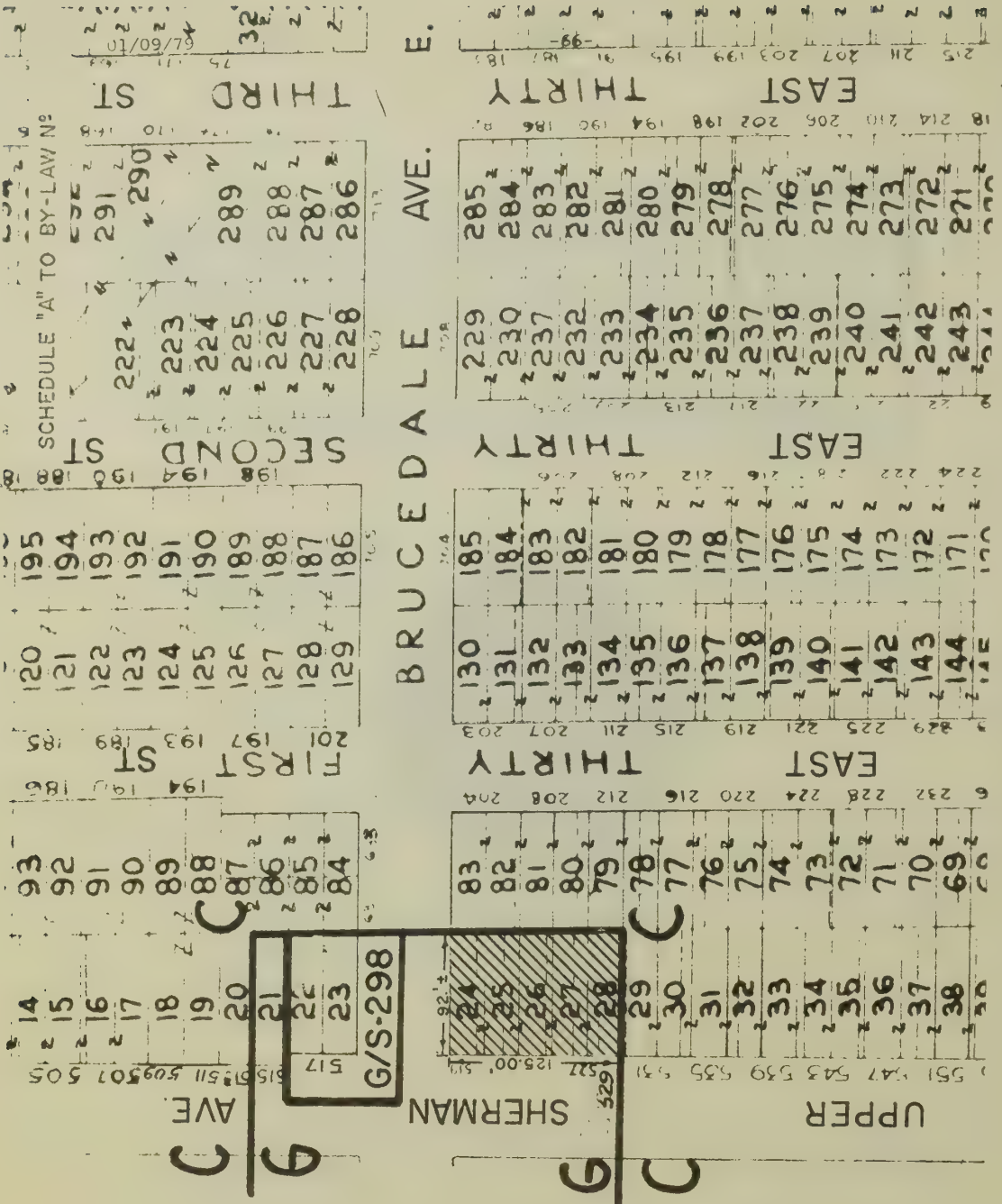
City Clerk

Mayor

Bill No. 23

Lands on Part of Sheet No. E-36 of the Zoning District Maps to be regulated by By-law No.

Scale: 1"=100'



BY-LAW NO. 79 - 26

TO EXTEND HIGHRIDGE AVENUE
BY INCORPORATING A 1' RESERVE, BLOCK "B"
PLAN M-206

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to extend a portion of the highway known as Highridge Avenue by incorporating within its limits the lands described in Schedule "A" hereto.

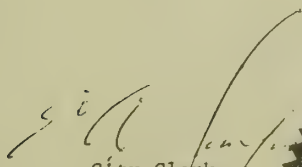
AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

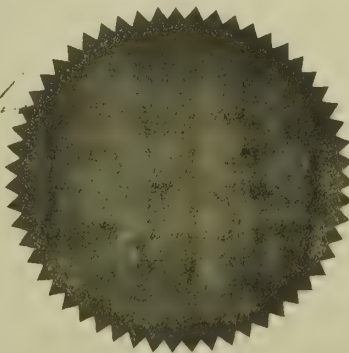
1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Highridge Avenue.
2. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 9th day of January

A.D. 1979


City Clerk


Mayor



SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Block "B" according to Capri Gardens filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-206.

The above described parcel shown in heavy outline on Plan N.S.2317 Surveys hereto attached.

FORM S.P. 8



SKETCH TO ILLUSTRATE DESCRIPTION OF
BLOCK 'B' - I' RESERVE
CAPRI GARDENS
PLAN M-206

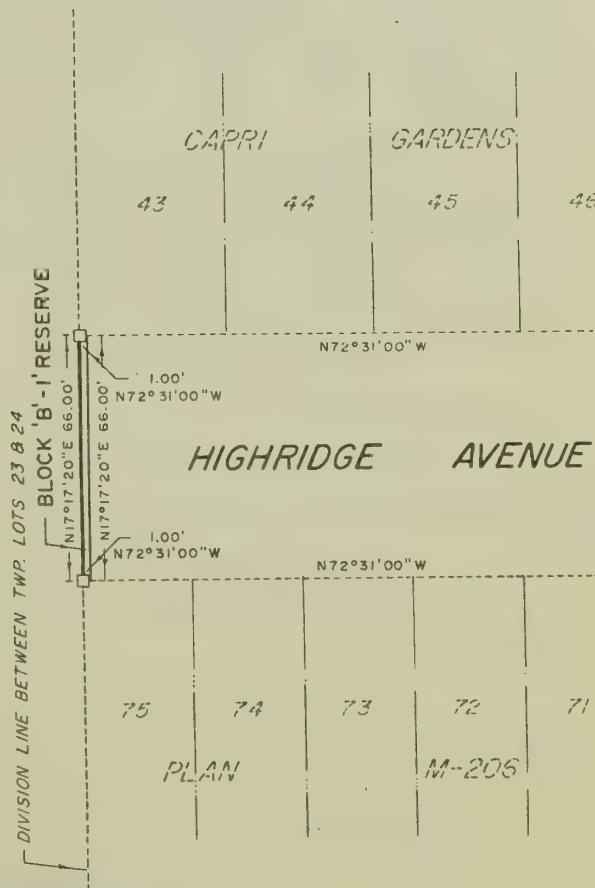
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
SCALE: 1" = 40'

CONCESSION 2

SALT FLEET

LOT 24

TOWNSHIP



NOTE

BEARINGS SHOWN HEREON ARE ASTRONOMIC REFERRED TO THE
NORTHERN LIMIT OF HIGHRIDGE AVE. ON A COURSE OF N72°31'W
AS SHOWN ON PLAN M-206.

CITY OF HAMILTON
DEPARTMENT OF ENGINEERING - LAND SURVEYS

HIGHRIDGE AVENUE - INCORPORATING BLOCK 'B' - I' RESERVE INTO THE STREET.

SURVEY BY COMP.	FIELD BOOK	FILE No. 839-0001	DATE NOVEMBER 1978
DRAWN BY RICK	REF. DWG'S P-717		CHECKED BY H.S.

APPROVED

W. H. Phillips

CITY ENGINEER

CITY SURVEYOR

W. H. Phillips

O.L.S.

PLAN No. NS-2317 SURVEYS

BY-LAW NO. 79 - 27

TO WIDEN BRITANNIA AVENUE
NORTH AND SOUTH SIDES, EAST OF STRATHEARNE AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Britannia Avenue by incorporating within its limits the lands described in Schedule "A" hereto.

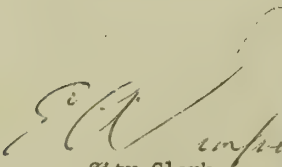
AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

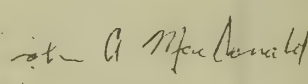
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

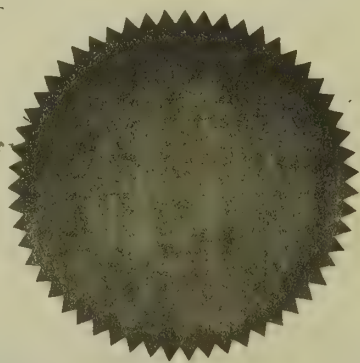
1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Britannia Avenue.
2. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 9th day of January

A.D. 1979.


City Clerk


Mayor



SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of parts of Lot 34, Concession 2, Township of Saltfleet and which said parcels may be more particularly described as all of Parts 1, 2, 3, 4 and 5 according to a Reference Plan received and deposited in the Land Registry Office for the Registry Division of Wentworth on May 16, 1978 as Plan 62R-4185.

DIFFERENCE PLAN SHOWING
PARTS OF LOT 34 CONCESSION 2 TOWNSHIP OF SALT FLEET

IN THE
CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

SCALE 1" = 20'
O A HARRINGTON O L S
1977

RECEIVED AND DEPOSITED AS
PLAN 62R-4185A

DATE 16 May 1978

LAND REGISTRAR FOR THE REGISTRY
DIVISION OF WENTWORTH

I REQUIRE THIS PLAN TO BE DEPOSITED

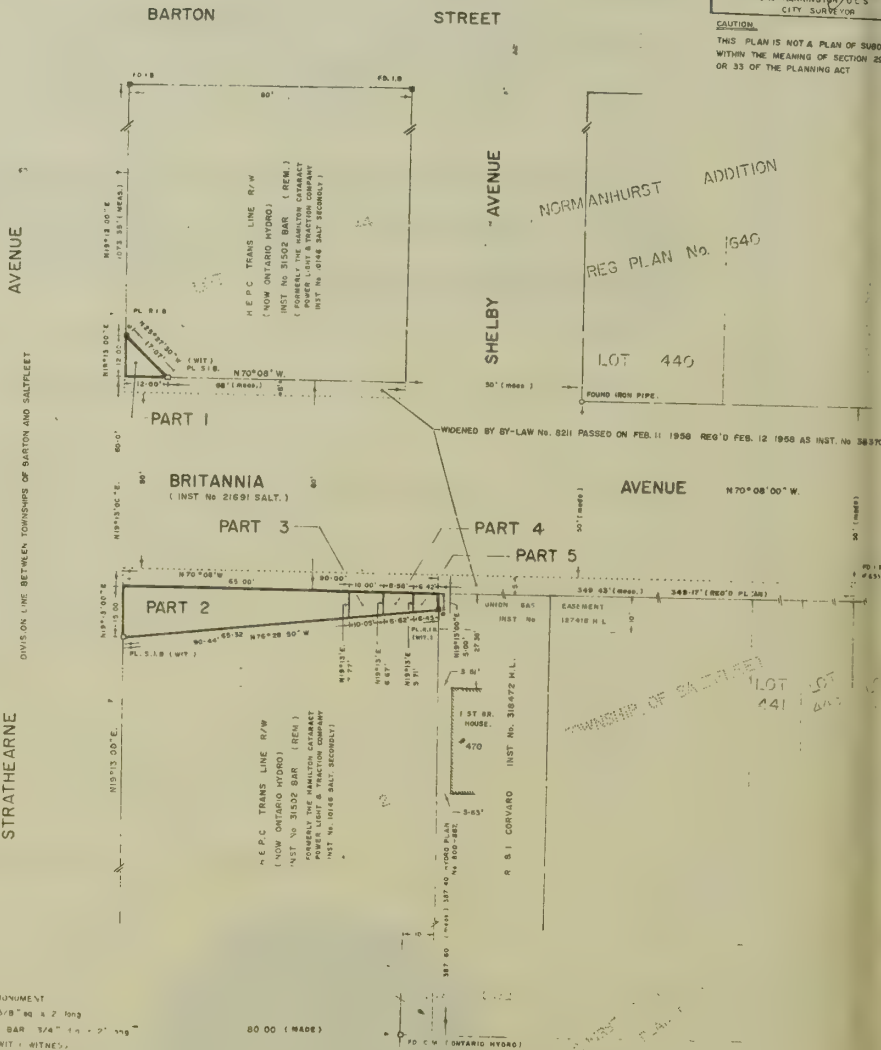
UNDER PART II

OF THE REGISTRY ACT

DATE Dec 8th 1977

O A HARRINGTON, F.L.S.
CITY SURVEYOR

CAUTION
THIS PLAN IS NOT A PLAN OF SURVEY
WITHIN THE MEANING OF SECTION 20
OR 33 OF THE PLANNING ACT



- 1. (IN 1) CONCRETE MONUMENT
- 2. IRON BAR 5/8" DIA & 2' LONG
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SURVEYOR'S CERTIFICATE

I hereby certify that
the above plan is correct and in accordance
with the Survey Act and the Registry Act and the
plan was made hereunder
and was completed on the 11th day of July 1977

Dec 8th 1977

DATE

O A HARRINGTON

CITY SURVEYOR

SCHEDULE

PART	OWNER	INST No	LOT & CONC	AREA
1				
2	H.E.P.C.	31502 BAR (REM.)	34 2	760
3	(NOW ONTARIO HYDRO)			72
4				54
5				35

DEPARTMENT OF ENGINEERING - LAND SURVEYS

BRITANNIA AVENUE, LANDS REQUIRED FOR STREET WIDENING FROM ONTARIO HYDRO
INST. NO. 849-0001
DATE: AUG. 3 1977

APPROVED *[Signature]*
PLAN No SS-1430 SURVEYS

Bill No. 27

The Corporation of the City of Hamilton

BY-LAW NO. 79- 28

To Expropriate Land for Roadway

WHEREAS Clause 1 of Section 336 of The Municipal Act, R.S.O. 1970, Chapter 284, empowers the Council of The Corporation of the City of Hamilton to pass by-laws to expropriate land for its purposes;

AND WHEREAS The Corporation of the City of Hamilton, as an expropriating authority, resolved on the 12th day of September, 1978, to make application for approval to expropriate the land described below and did make application for the approval of the Council of The Corporation of the City of Hamilton as the approving authority to expropriate in accordance with The Expropriations Act, R.S.O. 1970, Chapter 154;

AND WHEREAS The Corporation of the City of Hamilton as expropriating authority did serve Notice of the application for approval to expropriate upon the registered owners of the said land and did publish Notice of the application in The Spectator, a newspaper having general circulation in the City of Hamilton, in accordance with the Expropriations Act;

AND WHEREAS no request for an inquiry has been received;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. As approving authority under the Expropriations Act, the said application for approval to expropriate the land described below made by The Corporation of the City of Hamilton as expropriating authority be and is hereby approved.

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of Part of Lot 15 according to The Van Wagner Plan registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 772 and which said parcel may be more particularly described as all of Part 14 according to a Reference Plan received and deposited in the said Land Registry Office on May 3rd, 1977 as Plan 62R-3535.

2. As expropriating authority, The Corporation of the City of Hamilton hereby expropriates the said land for roadway purposes.

3. That the Mayor, City Clerk and the proper officers of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this by-law and this authority shall include the taking of all necessary proceedings to enter and take possession of the lands hereby expropriated.

PASSED this 9th day of January A.D. 1979.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 29

To Require:

AN ELECTION TO FILL A VACANCY IN WARD 1

WHEREAS section 44 of The Municipal Act, R.S.O. 1970, c. 284 provides that subject to section 45, where a vacancy occurs in the office of a member of council, the council, at a meeting called for that purpose shall appoint a person who has consented to accept the office if he is appointed to fill the vacancy;

AND WHEREAS subsection 1 of section 45 of The Municipal Act provides as follows:

45. (1) Subject to subsection 3, where a vacancy occurs in the office of a member of the council of a local municipality, the council may by by-law require an election to be held to fill the vacancy and where the council passes such a by-law the clerk of the municipality shall hold a new election to fill the vacancy in accordance with section 90 of The Municipal Elections Act, 1972;

AND WHEREAS subsection 3 of section 45 provides that where a vacancy occurs in the office of a member of council after the 31st day of March of an election year, the vacancy shall not be filled by a new election but council may fill the vacancy by appointment under section 44 of The Municipal Act;

AND WHEREAS a vacancy has occurred in the office of a member of council for Ward 1 on the 5th day of December, 1978 due to the death of a member of the council of the City of Hamilton, representing Ward 1;

AND WHEREAS it is desirable to hold an election to fill the vacancy and to hold office in accordance with section 44 of The Municipal Act for the remainder of the term of the person whose office became vacant.

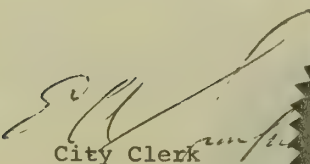
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. It is hereby required that an election shall be held to fill the vacancy in the office of Alderman for Ward 1.

2. The City Clerk is hereby authorized and directed to do all things necessary to give effect to this by-law.

PASSED this 9th day of January

A.D. 1979.


City Clerk


Mayor

Bill No. 26

BY-LAW No. 79- 30

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 9TH DAY OF JANUARY A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

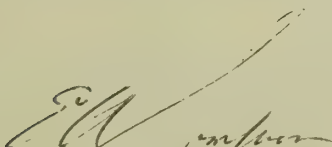
AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

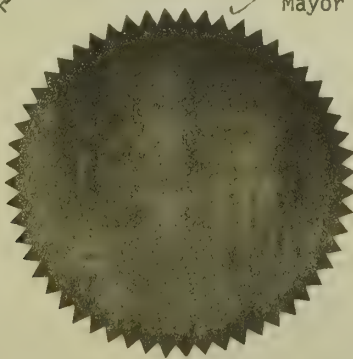
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 9th day of January A.D., 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 31

To Authorize:

An Additional Expenditure of \$400,000.00

Respecting:

THE MAIN PUBLIC LIBRARY

WHEREAS the Ontario Municipal Board by⁴ Order dated the 4th day of April, 1977 (File No. E 762270) approved,

- (a) the construction of the Main Hamilton Public Library Building on the south side of Merrick Street in the Lloyd D. Jackson Square at an estimated cost of \$8,259,000.00 and the borrowing of money therefor; and
- (b) the issuance of debentures in the sum of \$8,259,000.00 by The Regional Municipality of Hamilton-Wentworth for a term of twenty years, chargeable to the applicant corporation;

AND WHEREAS the Ontario Municipal Board by Order dated the 29th day of December, 1977 approved an additional expenditure of \$676,000.00;

AND WHEREAS the Ontario Municipal Board by Order dated the 19th day of September, 1978 approved an additional expenditure of \$690,000.00 and the issuance of additional debentures by The Regional Municipality of Hamilton-Wentworth in the amount of \$690,000.00;

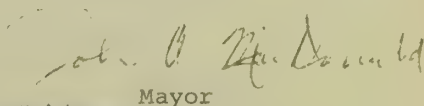
AND WHEREAS the Ontario Municipal Board by Order dated the 13th day of December, 1978 approved an additional expenditure of \$400,000.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

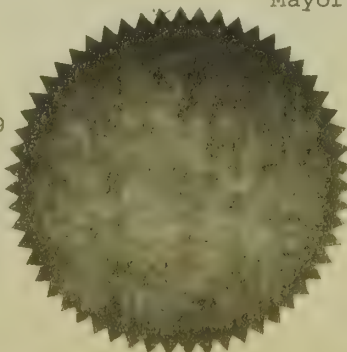
1. Section 1 of By-law No. 77-155, passed on the 1st day of June, 1977, as amended by section 1 of By-law No. 78-16, passed on the 31st day of January, 1978, and section 1 of By-law No. 78-263, passed on the 10th day of October, 1978 is further amended by striking out "\$9,625,000.00" in the third line and substituting in lieu thereof "\$10,025,000.00."

PASSED this 30th day of January A.D. 1979.


City Clerk


Mayor

(1978) 55 R.B.C. 3, November 29
Legal File: 120-1.182.1
(Part 2, Section 4)



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 32

To Authorize:

An Additional Expenditure of \$72,000.00

Respecting:

THE FARMERS' MARKET

WHEREAS the Ontario Municipal Board by Order dated the 4th day of April, 1977 (File No. E 762269) approved,

- (a) the construction of the Farmers' Market on the south side of Merrick Street in the Lloyd D. Jackson Square at an estimated cost of \$1,500,000.00 and the borrowing of money therefor; and
- (b) the issuance of debentures in the sum of \$1,500,000.00 by The Regional Municipality of Hamilton-Wentworth, for a term of twenty years, chargeable to the applicant corporation,

and declared and directed that the assent of the electors of the applicant corporation shall not be required;

AND WHEREAS the Ontario Municipal Board by Order dated the 29th day of December, 1977 approved an additional expenditure of \$55,000.00;

AND WHEREAS the Ontario Municipal Board by Order dated the 19th day of September, 1978 approved an additional expenditure of \$60,000.00 and the issuance of additional debentures by The Regional Municipality of Hamilton-Wentworth in the amount of \$60,000.00;

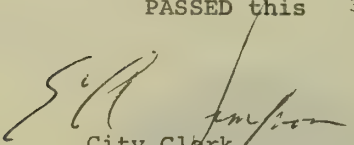
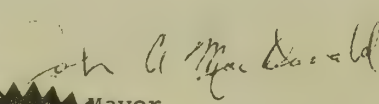
AND WHEREAS the Ontario Municipal Board by Order dated the 13th day of December, 1978 approved an additional expenditure of \$72,000.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 77-156, passed on the 1st day of June, 1977, as amended by section 1 of By-law No. 78-17, passed on the 31st day of January, 1978 and section 1 of By-law No. 78-264, passed on the 10th day of October, 1978 is further amended by striking out "\$1,615,000.00" in the third line and inserting in lieu thereof "\$1,687,000.00".

PASSED this 30th day of January

A.D. 1979.


City Clerk
Mayor

(1978) 55 R.B.C. 3, November 29
Legal File: 120-1.182.1
(Part 3, Section 4)



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 33

To Amend:

Zoning By-law No. 78-194

Respecting:

"M-15" (PRESTIGE INDUSTRIAL) DISTRICT

WHEREAS By-law No. 78-194, passed on the 28th day of June, 1978, amends General Zoning By-law No. 6593 by adding two additional permitted uses, (1) a District Yard and (2) a Sanitary Transfer Station to section 17C(3)(h) of By-law No. 6593;

AND WHEREAS the Ontario Municipal Board in its Memorandum of Oral Decision delivered on November 9, 1978 decided as follows:

"...the Board will approve the by-law on condition that the Corporation of the City of Hamilton amend By-law No. 78-194 to include a prohibition against outside storage of refuse and to include the following definition within the by-law: Sanitary Transfer Station to include the receiving, storage, compaction and baling of refuse in preparation for a transfer elsewhere. The use to include processing for resource recovery purposes."

"In the event that the by-law is so amended, the Board will approve the application without notice or hearing.";

AND WHEREAS it is herein intended to give effect to the decision of the Ontario Municipal Board;

AND WHEREAS the by-law is in conformity with the Official Plan of the Hamilton Planning Area approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause H of subsection 2 of section 2 of By-law No. 6593 is amended by adding thereto the following clause:

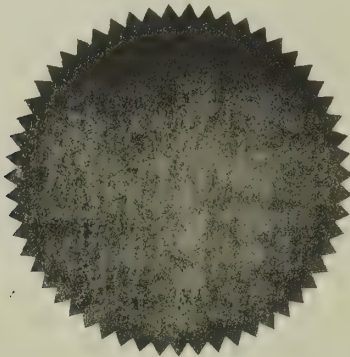
(vid) sanitary transfer station includes,

- (i) the receiving, storage, compaction and baling of refuse in preparation for transfer elsewhere; and
- (ii) the processing of refuse for resource recovery purposes.

2. Paragraph 2 of subclause (ii) of clause (h) of subsection 3 of section 17C as enacted by section 1 of By-law No. 78-194, is amended by adding at the end thereof the following, "except the outside storage of refuse", so that the subclause shall read as follows:

(ii) sanitary transfer station except the outside storage of refuse.

PASSED this 30th day of January. 1979.



[Signature]
City Clerk

[Signature]
Mayor

(1978) 15 R.P.D.C. 3, May 9
City Initiative 77-N
O.M.B. Memorandum of Oral
Decision, November 9, 1978
O.M.B. File No. 782046
Legal File No. 40-5.1321

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 34

To Authorize:

An Additional Expenditure of \$162,000.00

Respecting:

THE NORTH END URBAN RENEWAL SCHEME

WHEREAS the Ontario Municipal Board by Order dated the 25th day of January, 1973 (File No. H 6214),

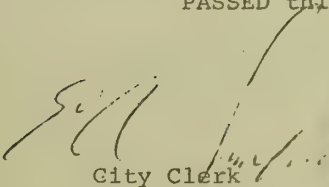
- (a) combined certain undertakings previously approved by the Board with respect to the North End Urban Renewal Scheme at an estimated cost totalling \$8,895,800.00 and the borrowing therefor totalling \$1,892,000.00,
- (b) approved certain additional expenditures totalling \$349,200.00 for the completion of the undertakings previously approved by the Board and the borrowing of additional amounts totalling \$244,800.00 upon debentures, and
- (c) declared and directed that the assent of the electors of the City of Hamilton or those qualified to vote on money by-laws shall not be requisite to be obtained to the passing of by-laws for the purpose aforesaid;

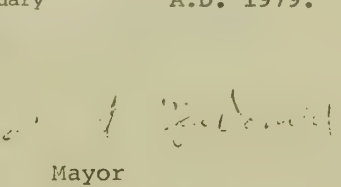
AND WHEREAS the Ontario Municipal Board by Order dated the 18th day of December, 1978 approved an additional expenditure of \$162,000.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 74-86, passed on the 30th day of April, 1974 is amended by striking out "\$9,245,000.00" in the last line and inserting in lieu thereof "\$9,407,000.00".
2. Schedule "A" to By-law No. 74-86 is amended by repealing schedule "A" and substituting in lieu thereof schedule "A" annexed hereto and forming part of this By-law.

PASSED this 30th day of January A.D. 1979.


City Clerk


Mayor

SCHEDULE "A"

To By-law No. 79- 34

To Authorize:

An Additional Expenditure of \$162,000.00

Respecting:

THE NORTH END URBAN RENEWAL SCHEME

Board's File Number	Estimated Cost Approved by the Board	Debenture Issue Approved by the Board	Revised Estimated Cost	Additional Debenture Authority Required	Total Debenture Issue Required
F 4820	\$8,091,800.00	\$1,676,000.00	\$8,270,000.00	\$202,050.00	\$1,878,050.00
G 8340	\$ 804,000.00	\$ 216,000.00	\$ 975,000.00	\$ 42,750.00	\$ 258,750.00
	\$8,895,800.00	\$1,892,000.00	\$9,245,000.00	\$244,800.00	\$2,136,800.00
H 6214	--	--	\$ 162,000.00	--	--
			\$9,407,000.00		

Bill No. 33

The Corporation of the City of Hamilton

BY-LAW NO. 79 -

To Authorize:

PAYMENT OF REMUNERATION TO MEMBERS OF COUNCIL

WHEREAS section 388 of The Municipal Act, R.S.O. 1970, c. 284, as re-enacted by 1977, c. 48, S. 7 provides as follows:

388. (1) Notwithstanding the provisions of any general or special Act, the council of a municipality may pass by-laws for paying remuneration to the members of council, and such remuneration may be determined in any manner that council considers advisable.

(2) The remuneration to be paid may be determined in different manners and be of different amounts for different members of council.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The remuneration for members of council shall be an annual remuneration in the amounts set out in column 2 of Table 1 for the corresponding office set out in column 1.

TABLE 1

Office (column 1)	Annual Remuneration (column 2)
1. Mayor	1. \$32,000.00
2. Member of Board of Control	2. \$21,000.00
3. Alderman	3. \$11,500.00

2. The remuneration mentioned in section 1 shall be paid every two weeks commencing January 1, 1979 and continue thereafter during each year from year to year.

3. By-law No. 74-224, passed on the 24th day of September, 1974, is repealed.

Read a first and second time on this 30th day of January, 1979.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 79- 35

To Borrow the Sum of \$10,000,000.00 to Finance Authorized Capital Projects Pending the Sale of Debentures for Projects Authorized as at December 31, 1978.

WHEREAS it is provided by Section 333 of The Municipal Act that the Council may borrow monies pending the issue and sale of debentures:

AND WHEREAS application has been made and approval given by the Ontario Municipal Board to the construction of the projects attached to this By-law and marked Schedule "A";

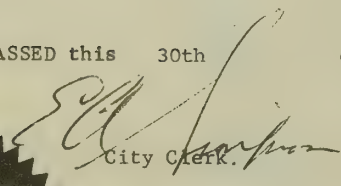
AND WHEREAS it may be necessary to borrow the sum of Ten Million Dollars (\$10,000,000.00) which is the amount the Council of The Corporation deems necessary to meet expenditures on the projects as set out in the attached Schedule "A" pending the issue and sale of the debentures to meet the cost of the projects concerned.

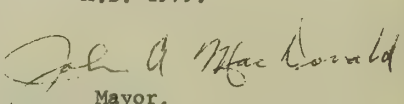
THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Mayor and Treasurer be and they are hereby authorized to borrow, as required, by way of promissory notes, sums not to exceed in the aggregate the sum of Ten Million Dollars (\$10,000,000.00) to meet expenditures for projects as listed on the attached Schedule "A" pending the issue and sale of the debentures therefor.
2. The Mayor and Treasurer be and they are hereby authorized and directed to sign a promissory note or notes and to affix the seal of The Corporation to each promissory note for such sum or sums as are required and which shall not exceed in the aggregate the sum of Ten Million Dollars (\$10,000,000.00). Such notes to bear interest at such rate or rates as may be determined by the Mayor and Treasurer, provided that the rates of interest do not exceed the prime borrowing rate at the time the loan is made.

PASSED this 30th day of January A.D. 1979.




City Clerk.


Mayor.

SCHEDULE "A" TO BY-LAW NO. 79- 35

To Borrow the Sum of \$10,000,000.00 to finance authorized Capital Projects prior to sale of related Debentures as supported by the following authorized, undebentured projects as at December 31, 1978.

SUMMARY

Municipal General
Services

20,771,776
942,248
<u>21,714,024</u>

SCHEDULE "A"

<u>Construction</u> <u>By-law</u> <u>Number</u>	<u>Ontario</u> <u>Municipal</u> <u>Board Number</u>	<u>Project</u>	<u>Undebentured</u> <u>Remainder of</u> <u>Authorization</u>
<u>Municipal General</u>			
<u>General Government</u>			
77-24	E761587	Land acquisition - Mountain Freeway and north-south connection to the Q.E.W.	1,400,000
<u>Urban Renewal</u>			
9548/10155/ 69-256/74-86/ 10900/67-309/ 68-392/69-212/ 70-145	H-6214	North End - various projects	319,060
72-32/74-88	E7340/E7367	Lloyd D. Jackson Square - various projects	2,500,103
67-299/67-347/ 67-348/69-237/ 70-280/70-286/ 70-345/72-38/ 72-43/72-44/ 72-170/74-87	E6213	York Street - various projects	377,613
<u>Recreation and Community Services</u>			
75-267	E75443	Trade and Convention Centre	6,166,000
<u>Independent Boards</u>			
<u>Hamilton Public Library Board</u>			
77-155	E762270	Main Hamilton Public Library - construction	8,449,000
<u>Farmers' Market</u>			
77-156	E762269	Farmers' Market - construction	1,560,000
			20,771,776

SCHEDULE "A"

Construction By-law Number	Ontario Municipal Board Number	Sidewalks Curbs and Alleyways	Roadways	Amount Authorized Not Debentured
<u>Local Improvements - Completed September 30, 1976</u>				
73-61	E7377	17,293	26,982	44,275
74-152	E74774	8,340	40,198	48,538
76-294				
(74-154)	E74398	16,593	43,939	60,532
74-156	E74244	1,279		1,279
74-294	E741357	2,461		2,461
74-295	E741425	2,308		2,308
75-307	E751648	800		800
75-320	E752034	1,606		1,606
75-80	E741758		11,373	11,373
75-309	E751649		21,420	21,420
76-129	E752168		28,531	28,531
76-183	E752166		17,900	17,900
		50,680	190,343	241,023
<u>Local Improvements - Completed September 30, 1977</u>				
76-269	E76275		14,625	14,625
76-325/77-152	E76555	803	26,172	26,975
76-326	E761146	675	9,840	10,515
76-327	E761337	9,603	31,633	41,236
76-297	E761607		26,956	26,956
76-151	E76286	661	5,757	6,418
76-150	E76285	615		615
76-129/77-57	E762168	4,832		4,832
76-328	E761336	2,376		2,376
76-107/76-302	E76276	6,944		6,944
		26,509	114,983	141,492
<u>Local Improvements - Completed September 30, 1978</u>				
77-150			9,070	9,070
77-80			4,168	4,168
76-149		9,722	13,010	22,732
77-42			22,800	22,800
77-79			14,022	14,022
77-220		8,244	8,650	16,894
77-78		3,500		3,500
77-219		8,058		8,058
77-57/76-129		10,477		10,477
76-326		9,541		9,541
76-208		10,374		10,374
77-43		12,572		12,572
77-162		7,756		7,756
		80,244	71,720	151,964
<u>Local Improvements - Not completed</u>				
78-178	E78575		5,580	5,580
78-67	E771931		9,345	9,345
76-23	E75772	37,895	83,050	120,945
78-110	E78150	17,480	48,088	65,568
78-68	E772033	450		450
78-232	E78998	2,027		2,027
77-218	E77826	6,635		6,635
77-289	E771503	3,481		3,481
78-231	E78996	2,279		2,279
77-255	E771184	4,368		4,368
78-214	E78685	9,428		9,428

SCHEDULE "A"

Page 2

Construction By-law Number	Ontario Municipal Board Number	Sidewalks Curbs and Alleyways	Roadways	Amount Authorized Not Debentured
<u>Local Improvement - Not completed - continued</u>				
78-229	E78997	4,654		4,654
78-215	E78835		3,594	3,594
77-78	E77131		7,820	7,820
77-273	E771422		67,347	67,347
77-220	E771007		30,030	30,030
77-294	E771650		14,334	14,334
78-221	E772037		7,000	7,000
78-66	E772032		29,223	29,223
78-69	E771932		10,621	10,621
78-230	E78995		3,040	3,040
		<u>88,697</u>	<u>319,072</u>	<u>407,769</u>
Total Municipal Services		<u>246,130</u>	<u>696,118</u>	<u>942,248</u>

The Corporation of the City of Hamilton

BY-LAW NO. 79- 36

TO AUTHORIZE THE EXECUTION OF MUNICIPAL (OR OPERATING) AGREEMENTS
WITH ONTARIO HOUSING CORPORATION

WHEREAS, pursuant to The Housing Development Act, R.S.O. 1970, Chapter 213, as amended, a municipality, with the approval of the Minister of Housing, may enter into an agreement with any person or governmental authority for sharing or contributing to the capital cost or the maintenance cost of a housing project;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to enter into agreements with Ontario Housing Corporation pursuant to the said The Housing Development Act for the construction, operation and maintenance of family and senior citizen housing accommodation in the said City of Hamilton;

AND WHEREAS Ontario Housing Corporation has agreed to provide the approximate numbers of housing units on lands in the City of Hamilton, under agreements, as follows:

HAMILTON OH-54 - 28 family housing units - Upper Wentworth,
East 21st Street, East 22nd Street, East 23rd
Street and Franklin Road

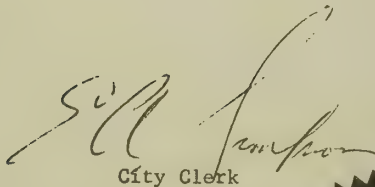
HAMILTON OH-56 - 1 family housing unit - Glamis Court

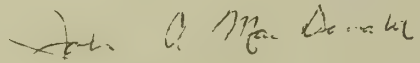
HAMILTON OH-57 - 6 family housing units - Rexford Drive

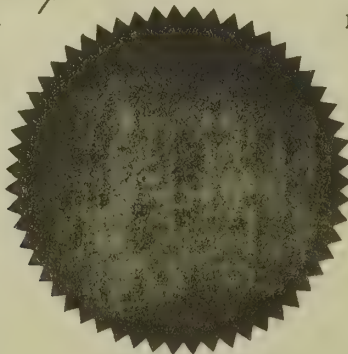
NOW THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

That the Mayor and the City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, the Operating Agreements with Ontario Housing Corporation mentioned above.

PASSED this 30th day of January, A.D. 1979.


City Clerk


Mayor



BY-LAW NO. 79 - 37

TO CLOSE AND SELL A PORTION OF
NIGHTINGALE STREET, EAST OF WENTWORTH STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 to stop-up and sell any highway or part of a highway.

AND WHEREAS it is deemed expedient to stop-up and sell a portion of the highway described herein.

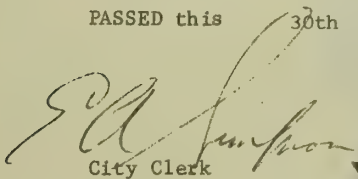
AND WHEREAS Notice of this By-law has been published as required by Section 446 of the said The Municipal Act.

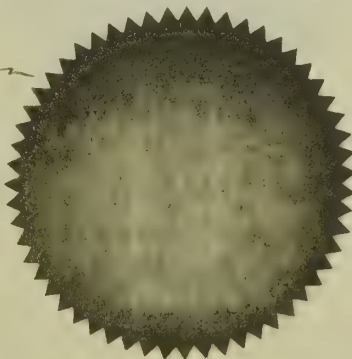
AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Traffic & Engineering Committee, has heard all persons who applied to be heard, no matter whether in objection to, or in support of this by-law.

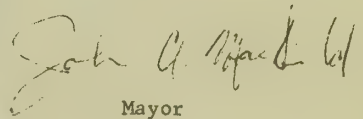
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portion of the highway described in Schedule "A" is hereby stopped-up.
2. Within six months after the enactment of this By-law, The Hamilton Street Railway Company, may purchase the said portion of highway for \$100,625.00.
3. If The Hamilton Street Railway Company does not purchase the said portion of highway with the said period of six months, or such period as may be fixed by a subsequent by-law, the sale thereof may be authorized to any other person at the same or a greater price.

PASSED this 30th day of January A.D. 1979.


City Clerk




Mayor

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Nightingale Street according to Thomas Stinson Survey registered in the said Land Registry Office for the Registry Division of Wentworth as Plan No. 43 and which said parcel may be more particularly described as all of Part 1 according to a Reference Plan received and deposited in the said Land Registry Office on June 15th, 1978, as Plan 62R-4231.

BY-LAW NO. 79 - 38

TO CLOSE AND RETAIN A PORTION OF HURON STREET,
EAST OF STIRTON STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 to stop-up and sell any highway or part of a highway.³

AND WHEREAS it is deemed expedient to stop-up and retain a portion of the highway described herein.

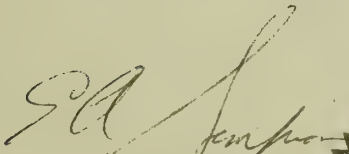
AND WHEREAS Notice of this By-law has been published as required by Section 446 of the said The Municipal Act.

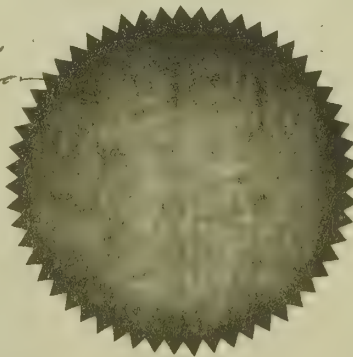
AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Traffic & Engineering Committee, has heard all persons who applied to be heard, no matter whether in objection to, or in support of this by-law.

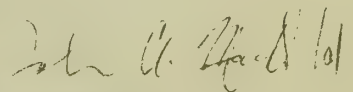
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portion of the highway described in Schedule "A" is hereby stopped-up.

PASSED this 30th day of January A.D. 1979.


City Clerk



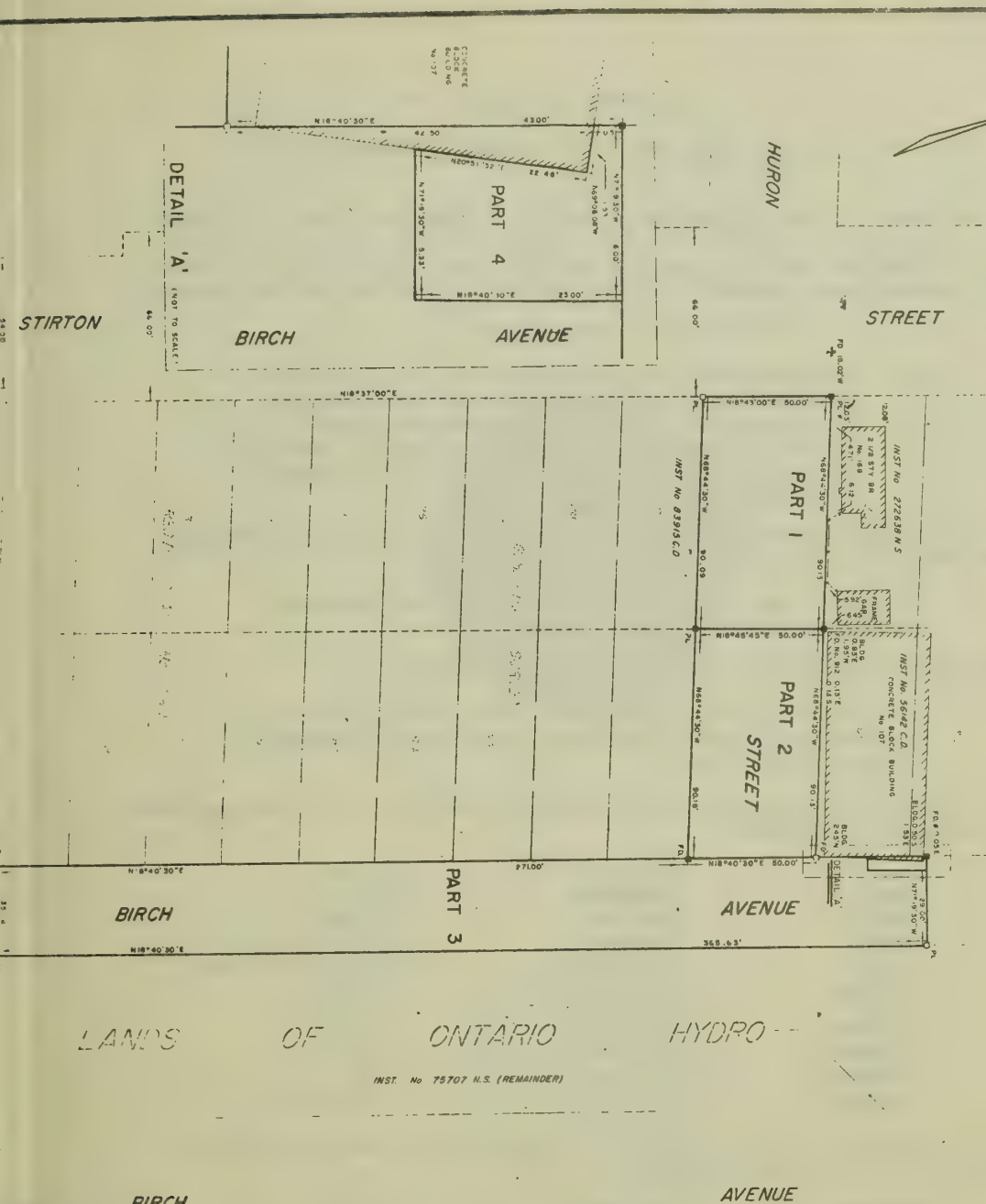

Mayor

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Huron Street according to G. H. Wild Survey registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 560 and which said parcel may be more particularly described as all of Part 1 according to a Reference Plan received and deposited in the said Land Registry Office on May 11th, 1978 as Plan 62R-4171.

REFERENCE PLAN SHOWN:
PARTS OF HURON STREET AND BIRCH AVENUE
REGISTERED PLAN NO 560

CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WEST NORTH
D.A. HARRINGTON ONTARIO LAND SURVEYOR
1978



LANDS OF ONTARIO HYDRO

INST. No 75707 N.S. (REMAINDER)

BIRCH

AVENUE

CAUTION: THIS PLAN IS NOT A PLAN OF SUBDIVISION
WITHIN THE MEANING OF SECTION 25, 26
ON 33 OF THE PLANNING ACT

RECEIVED AND DEPOSITED AS
PLAN 62R-4171
DATE May 11, 1978

DATE May 3rd 1978

By *D.A. Harrington*
D.A. HARRINGTON
CITY SURVEYOR

SURVEYOR'S CERTIFICATE

- 1. HEREBY CERTIFY THAT THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER
- 2. THE SURVEY WAS COMPLETED ON THE 7th DAY OF MARCH 1978

May 3rd 1978
DATE
D.A. Harrington
D.A. HARRINGTON O.S.

LEGEND

- SIGN THIS "C" DENOTES A STANDARD IRON BAR 1" x 1/4"
- SIGN THIS "X" DENOTES AN IRON BAR 5/8" x 5/8" x 2'
- SIGN THIS "R" DENOTES A ROUND IRON BAR 2 1/2" x 2'
- SIGN THIS "P" DENOTES A CUT CROSS.
- P.L. = PLANTED, F.D. = FOUND, A.I.T. = WITNESS
- O.N. = ONTARIO HYDRO

NOTE

BEARINGS SHOWN HEREON ARE ASTRONOMIC REFERRED "C" THE MOST WESTERLY LIMIT OF STIRTON STREET AS SHOWN ON REGISTERED PLAN NO 560 ON A COURSE OF N18°37'E.

SCHEDULE

PT.	INST. No.	GRANTEE	LOT & PLAN	AREA
1	INST. No. 560	CITY OF HAMILTON	PART OF HURON STREET 4506.21	4506.21
2	INST. No. 560	CITY OF HAMILTON	PART OF BIRCH AVENUE 1284.13	1284.13
3	INST. No. 560	CITY OF HAMILTON	PART OF BIRCH AVENUE 1284.13	1284.13
4	INST. No. 560	CITY OF HAMILTON	PART OF BIRCH AVENUE 1284.13	1284.13

DEPARTMENT OF ENGINEERING - LAND SURVEYS

PLAN 62R-4171
HURON ST & BIRCH AVE - CITY OF HAMILTON
DATE: May 11, 1978
BY: *D.A. Harrington*
D.A. HARRINGTON
CITY SURVEYOR

BY-LAW NO. 79 - 39

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby further amended by adding thereto the following section, namely:-

"NO LEFT TURN ON RED LIGHT

23A. No person driving any animal or vehicle while facing a red signal light upon any highway set out in Column 1 of Schedule 18A, in the direction set out opposite thereto in Column 2, shall turn left into any highway set out opposite thereto in Column 3, during the times set out under Column 4."

2. Schedule 9 (Through Highways) is hereby amended by deleting therefrom the following item, namely:-

"Pritchard Road, from the southerly limit of Mud Street to the northerly limit of Rymal Road;"

and by substituting therefor the following item, namely:-

"Pritchard Road, from the southerly limit of Mud Street to the northerly limit of Rymal Road, except at the intersection of Stone Church Road;"

3. Schedule 10 (Stops at Intersections) is hereby amended by adding thereto the following items, namely:-

"Reno	Westbound	Palmer
Lorraine	Northbound	Reno
Thorley	Eastbound	Palmer
Bloor	Westbound	Birchview Dr.
Bloor	Eastbound	Birchcliffe Cresc.
Woodside	Eastbound	Oakcrest
High	Northbound	Woodside
Oakcrest	Southbound	Donlea
Edgewood	Eastbound	High
Bruceedale	Eastbound	High
Margate	Westbound	Princeton".

4. Schedule 11 (Yield Right-of-Way Signs) is hereby amended by deleting therefrom the following item, namely:-

"Oakcrest Southbound Donlea".

5. Traffic By-law No. 66-100 To Regulate Traffic is hereby further amended by adding the following Schedule, namely:-

"SCHEDULE 18A (Section 23A)

NO LEFT TURN ON RED LIGHT AT CERTAIN INTERSECTIONS

<u>Column 1</u> <u>STREET</u>	<u>Column 2</u> <u>DIRECTION</u>	<u>Column 3</u> <u>PROHIBITED</u>	<u>Column 4</u> <u>TIME</u>
King William	Eastbound	John	Anytime
Hunter	Westbound	Queen	Anytime
Hughson	Northbound	King	Anytime
Hunter	Westbound	James	Anytime".

6. Schedule 29 (No Stopping Areas) is hereby amended by deleting from Section A (No Stopping Anytime) the following item, namely:-

"Robinson North From 88 ft. west of Park to 93 ft. west",

01/30/79

and by substituting therefor the following item, namely:-

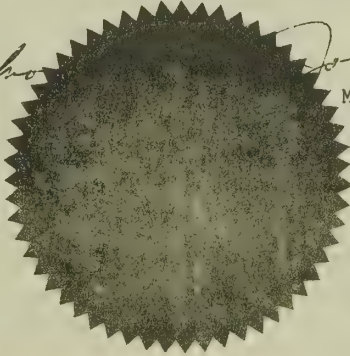
"Robinson

North

From 103 ft. west of Park
to 78 ft. west".

PASSED this 30th day of January , A.D. 1979.

EA Simpson
City Clerk



John A. Markel
Mayor

BY-LAW NO. 79 - 40

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 26 (No Parking Areas) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby further amended by deleting from Section A (No Parking Anytime) the following item, namely:-

"East 42nd	West	Mohawk to Seventh Ave.",
------------	------	--------------------------

and by adding thereto the following items, namely:-

"East 42nd	West	Mohawk to Ninth Ave.
Putting Place	East	Greenhill to St. Andrews
Bell Manor	West	Barton to Birkendale
Folkestone	East and	Berko to Lawson
	North	
Lawson	West	Folkestone to Edwina
Berko	South	Folkestone to Edwina
Kentley	South	Nash to Oakland".

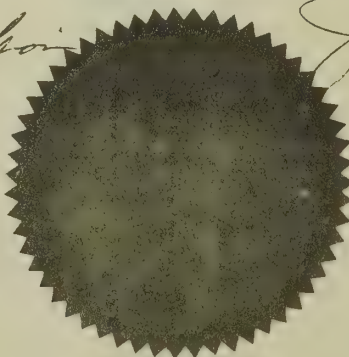
2. Schedule 27 (Alternate Side Parking) is hereby amended by adding thereto the following item, namely:-

"East 42nd	East	West".
Ninth Ave. to Seventh Ave.		

PASSED this 30th day of January , A.D. 1979.

E.A. Simpson
CITY CLERK

John A. McNeil
MAYOR



Bill No.40

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 41

To Repeal:

Zoning By-law No. 78-167

Respecting:

LAND LOCATED IN THE AREA NORTH OF BARTON STREET EAST,
BETWEEN VICTORIA AVENUE AND HILLYARD STREET

WHEREAS By-law No. 78-167, passed on the 28th day of June, 1978, provided for a special requirement restricting conversion of existing residential properties for industrial use;

AND WHEREAS it is intended to provide for suitable rezoning changes by separate by-law;

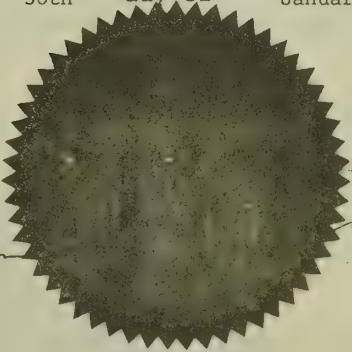
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

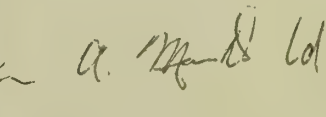
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 78-167 is repealed.

PASSED this 30th day of January A.D. 1979.


City Clerk




Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 42

To Adopt:

Official Plan Amendment No. 342

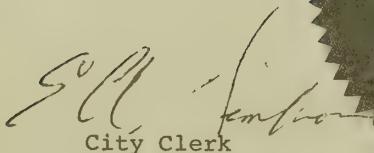
Respecting:

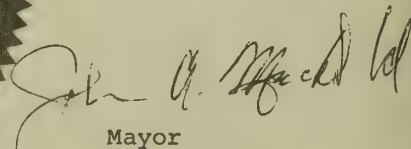
LAND LOCATED IN THE AREA NORTH OF THE C.N.R. TRACKS,
EAST OF VICTORIA AVENUE NORTH, SOUTH OF BURLINGTON STREET
AND WEST OF HILLYARD STREET

The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 342 to the Official Plan of the City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1, above, as may be requisite be obtained and for the doing of all things for the purpose thereof.

PASSED this 30th day of January 1979.



City Clerk


Mayor

SCHEDULE 1

AMENDMENT 342 TO THE
OFFICIAL PLAN FOR THE
HAMILTON PLANNING AREA

The following text and Schedule 'A' constitute Amendment 342. The Appendices are not part of the amendment.

PURPOSE:

To change the land use designations from Industrial to Restricted Industrial, Residential and Commercial in accordance with Schedule 'A'; to introduce policies:-

- i) on buffering between industry and residential uses in the area covered by the land use changes.
- ii) for limited extensions to existing houses in the area covered by the land use changes.
- iii) on restricted industrial areas on the area covered by the land use changes.
- iv) for a setback for undesirable industries from the area covered by the land use changes.

LOCATION:

The change of land use designations applies to an area to the north of the C.N. tracks, east of Victoria Avenue North, south of Burlington Street, and west of Hillyard Street.

BASIS:

The Official Plan Amendment will reflect the Keith Neighbourhood Plan. The change in designations and the proposed policies are based on the reports, public participation, documentation and explanatory note contained in the Appendices.

ACTUAL CHANGES:

- a. The land use designation of the area shown on Schedule 'A' is hereby changed from Industrial to Restricted Industrial, Residential and Commercial.
- b. The following policy is hereby added to the Official Plan for the Hamilton Planning Area.

'Limited expansion of existing dwellings in the lands designated restricted industrial in this Official Plan amendment, will be permitted without Committee of Adjustment approval.'
- c. The following policy for the area which is the subject of the change is hereby added to the Official Plan for the Hamilton Planning Area.

'That where residential or commercial designation is adjacent to industrial designation (excluding restricted industrial designation) or fronting on to Wentworth Street any new residential buildings shall be designed to minimize the impact from existing or potential industrial uses by,

- i) orientation, e.g. having garages, bathrooms, etc. facing industry, so that the main rooms are quieter and that a lesser window area minimizes noise penetration;
- ii) building construction which restricts noise penetration, e.g. brick veneer construction or double studs and double insulation;
- iii) air conditioning to avoid window opening and penetration of noise and polluted air, e.g. central air conditioning, furnace cooling fan or inlet and damper. Any new buildings should preferably be row housing in order to provide a continuous noise buffer to the interior of the neighbourhood.'

- d. The following policy is hereby added to the Official Plan for the Hamilton Planning Area.

'Heavy industry which may have a substantial adverse impact on residential, commercial or industrial uses shall not be permitted within approximately 400 metres (1/4 mile) of the lands which are the subject of a change in designation in this Official Plan Amendment.'

- e. The following policy is hereby added to the Official Plan for the Hamilton Planning Area.

'Restricted Industrial areas shall be regarded as areas containing a limited range of industries so that such areas shall be environmentally compatible with the adjacent residential, commercial or public use areas.'

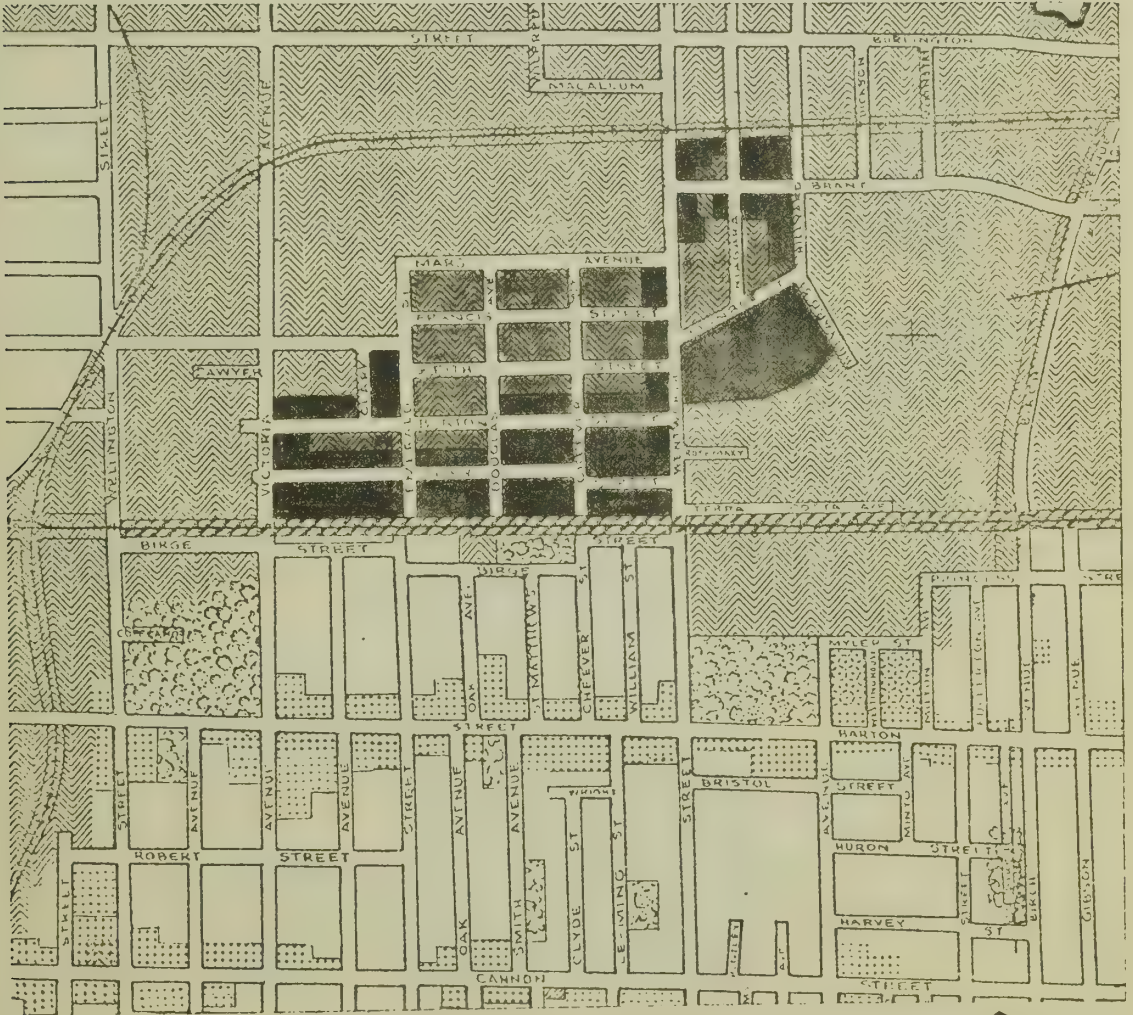
IMPLEMENTATION:

Restricted area by-laws will be used to implement this Official Plan Amendment. Site plan control will be used to implement policy b.

CHANGES :

Schedule "A" to Amendment No. 342...
to the Official Plan
of the Hamilton Planning Area.

-  FROM INDUSTRIAL TO RESIDENTIAL
-  FROM INDUSTRIAL TO COMMERCIAL
-  FROM INDUSTRIAL TO RESTRICTED INDUSTRIAL



LEGEND


SCALE 1"=800'

- | | |
|--|--|
|  RESIDENTIAL |  INDUSTRIAL |
|  COMMERCIAL |  RECREATION, CIVIC & CULTURAL |
|  RESTRICTED INDUSTRIAL |  TRANSPORTATION |

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 43

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA NORTH OF BARTON STREET EAST
BETWEEN WELLINGTON STREET NORTH AND BIRCH AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-11, E-12, E-20, and E-21 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, are amended,

- (a) as to sheets Nos. "E-11" and "E-20", by changing from "K" (Heavy Industry, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in areas 1 and 2 shown on schedules "A" and "A3" hereto annexed;
- (b) as to sheets Nos. "E-11" and "E-20", by changing from "K" (Heavy Industry, etc.) district to "H" (Community Shopping and Commercial, etc.) district, the land comprised in area 3 shown on schedules "A1" and "A4" hereto annexed;
- (c) as to sheets Nos. "E-11", "E-12", and "E-20", by changing from "K" (Heavy Industry, etc.) district to "J" (Light and Limited Heavy Industry, etc.) district, the land comprised in area 4, shown on schedules "A1", "A2", and "A4" hereto annexed.

2. The "D" and "J" District provisions applicable to the lands referred to in section 1, and the "K" District provisions applicable to the land comprised in area 5 shown on schedules "A1", "A2", "A4", and "A5", are amended to the extent only of the following variances as special requirements:

1. As to the "D" District provisions applicable to the land comprised in area 2, shown on schedules "A" and "A3",
 - (i) the land shall be subject to section 19C of By-law No. 6593.
2. As to the "J" District provisions applicable to the land comprised in area 4, shown on schedules "A1", "A2", and "A4",
 - (i) notwithstanding section 16 of By-law No. 6593, improvement to and extension of existing dwellings shall be permitted in accordance with the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions of By-law No. 6593.
3. As to the "K" District provisions applicable to the land comprised in area 5, shown on schedules "A1", "A2", "A4" and "A5", the following uses shall not be permitted:
 - (i) A slaughter house, tannery, glue factory, tallow-rendering plant or any other factory for the manufacture of animal products;
 - (ii) A primary metal plant or any other factory for the manufacture of iron and steel or the manufacture of the non-ferrous metals;
 - (iii) Sheet mica factory, a plant for rock-crushing, cut stone fabrication, the manufacture of cement and cement products, asbestos, graphite, gypsum or mica products or any other manufactures of the non-metallic minerals, including the manufacture of asphalt, tar and petroleum products;
 - (iv) A gas plant, coke oven, distillation plant, filtrating processes, the manufacture of chlorine or chlorine bleaches, inorganic adhesives and fertilizers, linoleum, cellulose, celluloid, phrozylin, potash or metallic solium, the corrosion of aluminum, copper, iron, tin, lead or zinc, or any other manufacture of offensive chemicals and allied products;
 - (v) Any other uses similar to the uses mentioned in clauses (i), (ii), (iii), and (iv) that create offensive emissions of odour, dust, smoke, noise, gas fumes, cinders or vibrations.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

- (a) the "D" District provisions; and
- (b) the "J" District provisions; and

(c) the "K" District provisions,

subject to the special requirements referred to in section 2.

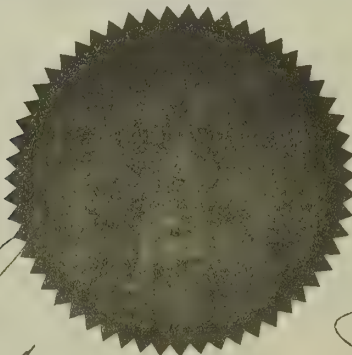
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-615".

5. Sheets Nos. E-11, E-12, E-20, and E-21 of the District Maps are amended by marking the lands referred to in section 2 of this by-law, "S-615".

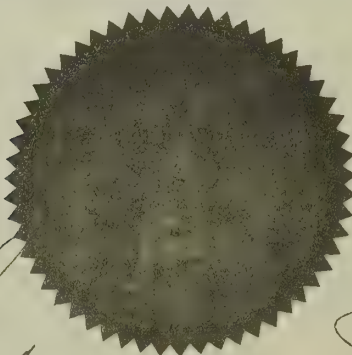
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of January 1979.



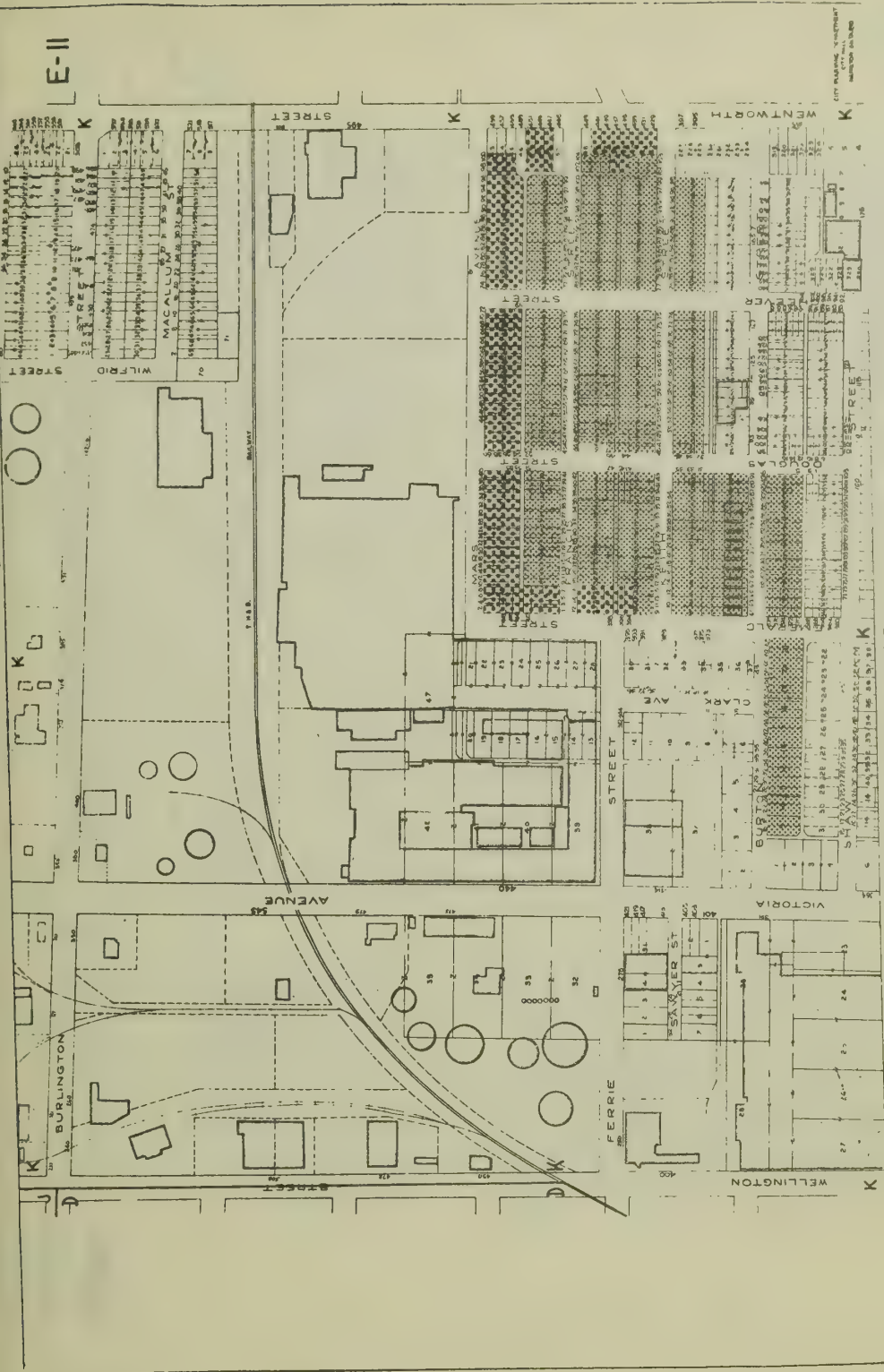
[Signature]
City Clerk



[Signature]
Mayor

SCHEDULE "A" TO BY-LAW NO.

E-II



LEGEND

- AREA "1"
- AREA "2"

Lands on Sheet No. E-II of the Zoning District Maps to be re-zoned from "K"

(Heavy Industry, etc.) District to:

- "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.
- "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District - (Modified to require Development Control).

Scale: 1"=350'

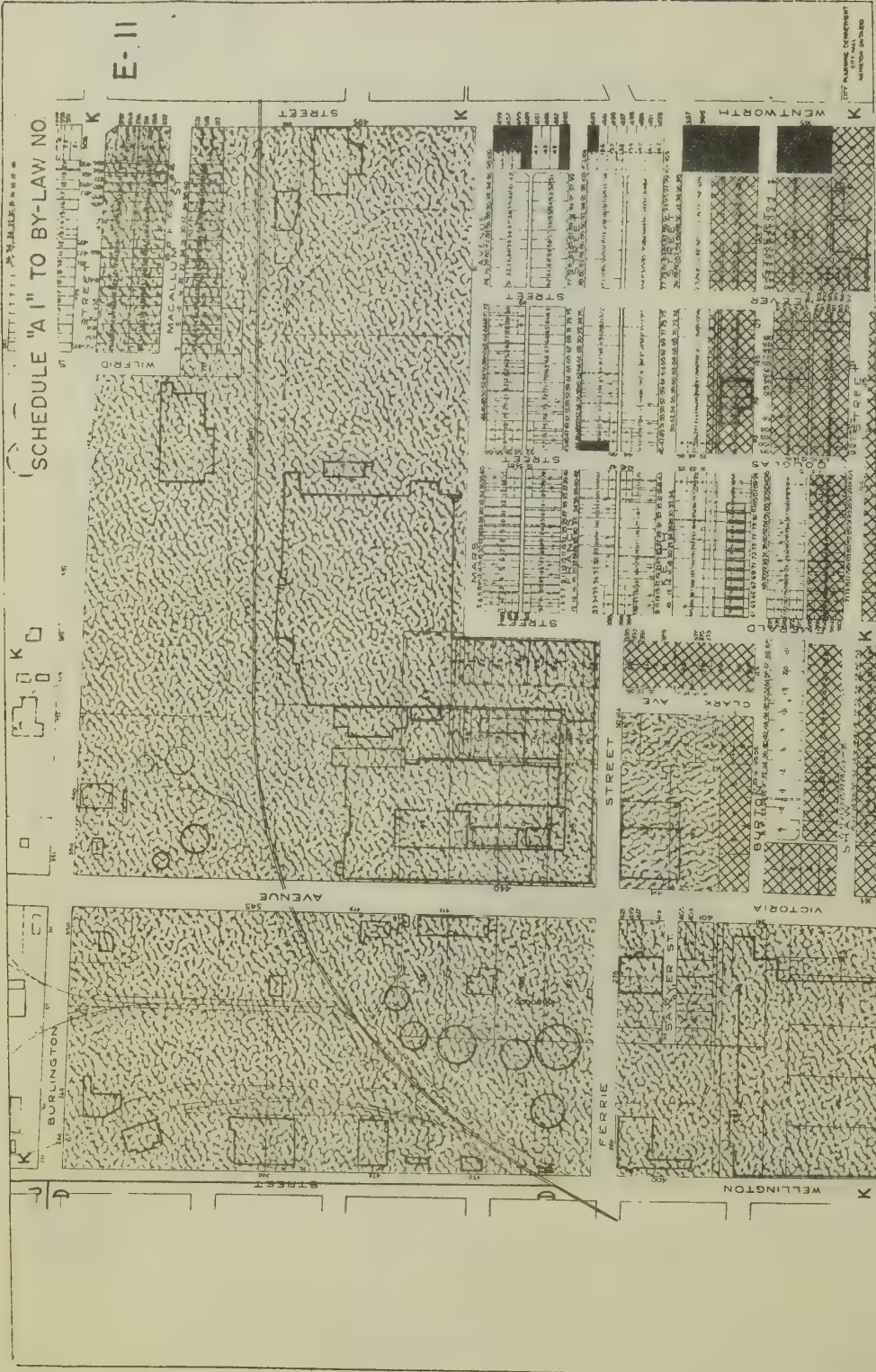
Bill No. 42

This is Schedule "A" to By-law No. 79-43 passed the 30th day of January, 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor



Scale: 1"=350'

LEGEND

Lands On Sheet No. E-11 of the Zoning District Maps to be re-zoned from "K" (Heavy Industry, etc.) District to:

"H" (Community Shopping and Commercial, etc.) District.

"J" (Light and Limited Heavy Industry, etc.) District - (Modified to allow extension of existing dwellings).

"K" (Heavy Industry, etc.) District - (Modified to restrict some uses.)

- AREA "3" [Solid black box]
- AREA "4" [Cross-hatched box]
- AREA "5" [Diagonal line hatched box]

Bill No. 42

This is Schedule "A1" to By-law No. 79-43 passed the 30th day of January, 1979

SA Simpson
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. Macdonald
Mayor

Scale: 1"=350' ±

This is a detailed street map of a residential area in Montreal, Quebec, Canada. The map shows a grid of streets including Avenue, Street, and Boulevard. Numerous buildings are depicted with their footprints and lot numbers. A legend on the right side of the map explains the symbols used for various features like streets, railways, and parks. The map is oriented with North at the top.

Legend:

- STREET
- RAILWAY
- PARK
- WATER
- SEWER
- WATER MAIN
- STREET LIGHT
- STREET CLOSURE
- STREET CLOSURE (TEMPORARY)
- STREET CLOSURE (PERMANENT)
- STREET CLOSURE (RECENT)
- STREET CLOSURE (FUTURE)
- STREET CLOSURE (RECENT) (TEMPORARY)
- STREET CLOSURE (RECENT) (PERMANENT)
- STREET CLOSURE (RECENT) (FUTURE)
- STREET CLOSURE (RECENT) (TEMPORARY) (PERMANENT)
- STREET CLOSURE (RECENT) (TEMPORARY) (FUTURE)
- STREET CLOSURE (RECENT) (PERMANENT) (FUTURE)
- STREET CLOSURE (RECENT) (TEMPORARY) (PERMANENT) (FUTURE)

ends on Sheet No. E-12 of the Zoning District Maps to be re-zoned from "R" (Heavy

Industry, etc.) District to:

"j" (Light and Limited Heavy Industry, etc.) District - (Modified to allow extension of existing dwellings).

"K" (Heavy Industry, etc.) District - (Modified to restrict some uses.)

AREA 4"

AREA "5"

Bill No. 42

This is Schedule "A2" to By-law No. 79-43 passed the 30th day of January, 1979

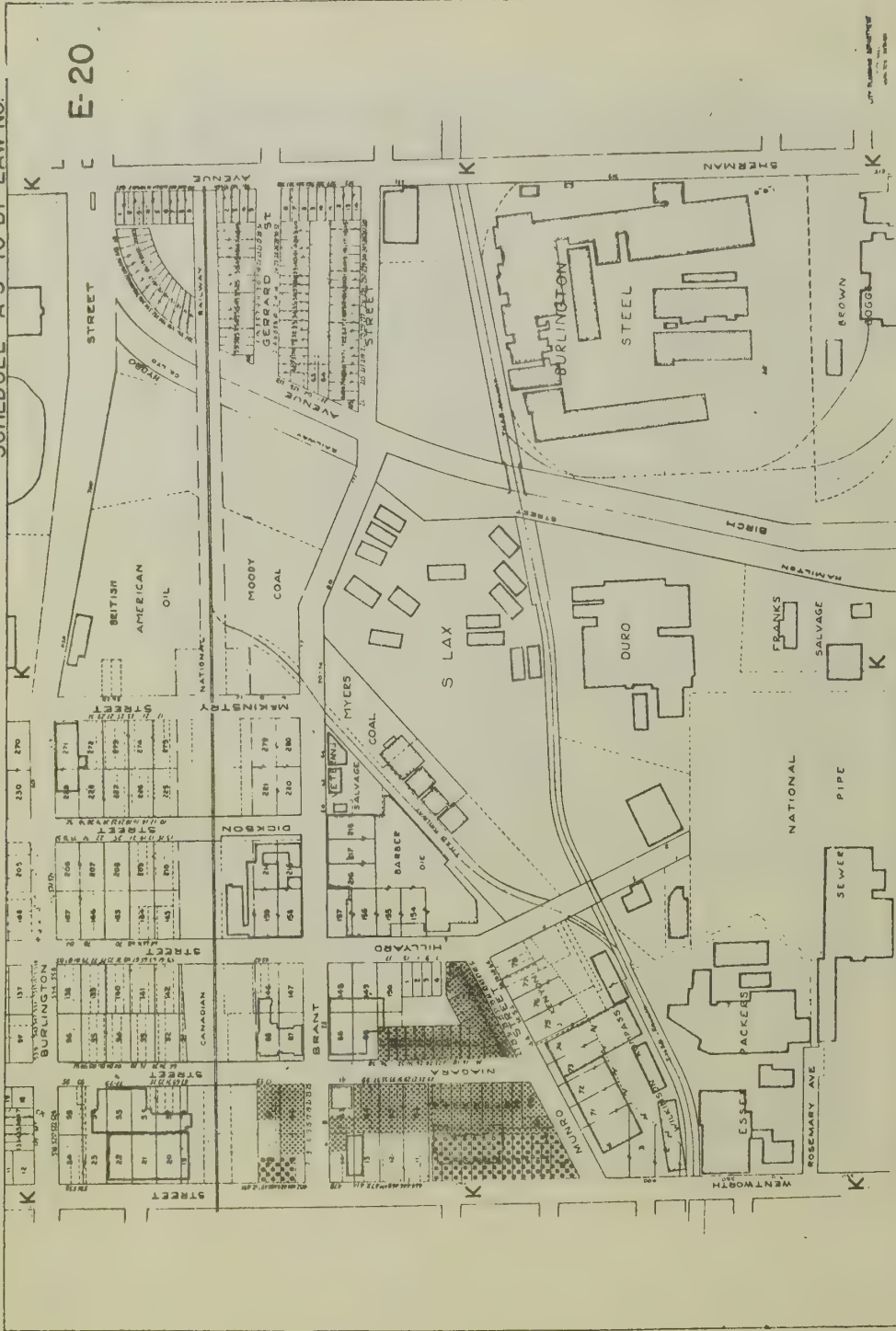
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

Mayor

SCHEDULE "A 3" TO BY-LAW NO.

E-20



LEGEND

Lands on Sheet No. E-20 of the Zoning District Maps to be re-zoned from "K"

(Heavy Industry, etc.) District to:

"D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.

"D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District - (Modified to require Development Control).

AREA "1"

AREA "2"

Bill No. 42

This is Schedule "A3" to By-law No. 79-43 passed the 30th day of January, 1979

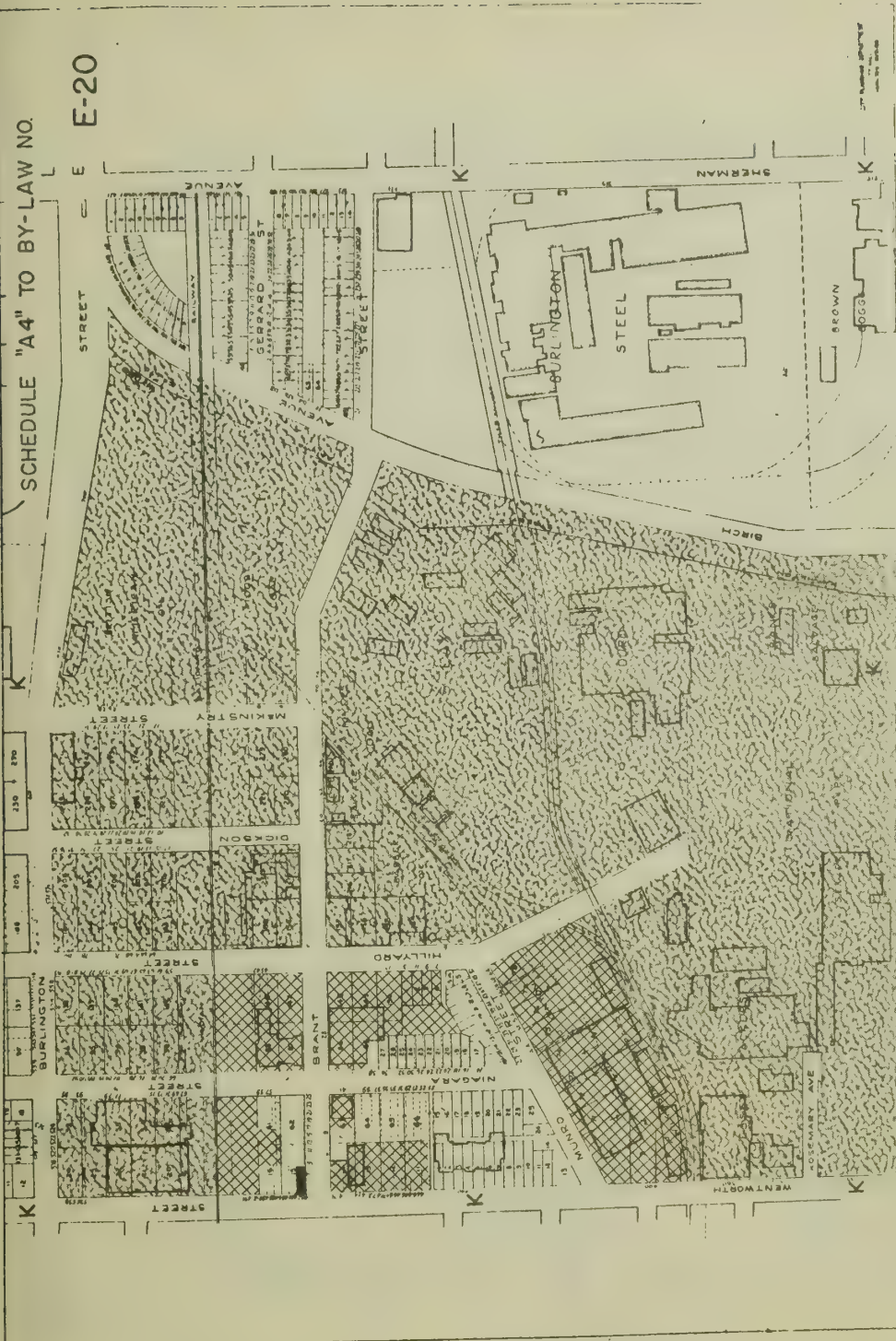
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

Mayor

Scale: 1"=350'

Scale: 1"=350'



LEGEND

Lands on Sheet No. E-20 of the Zoning District Maps to be re-zoned from "K" (Heavy Industry, etc.) District to:

- "H" (Community Shopping and Commercial, etc.) District.
- "J" (Light and Limited Heavy Industry, etc.) District - (Modified to allow extension of existing dwellings).
- "K" (Heavy Industry, etc.) District - (Modified to restrict some uses).

AREA "3" [Solid black box]

AREA "4" [Cross-hatched box]

AREA "5" [Stippled box]

Bill No. 42

This is Schedule "A4" to By-law No. 79-43 passed the 30th day of January, 1979

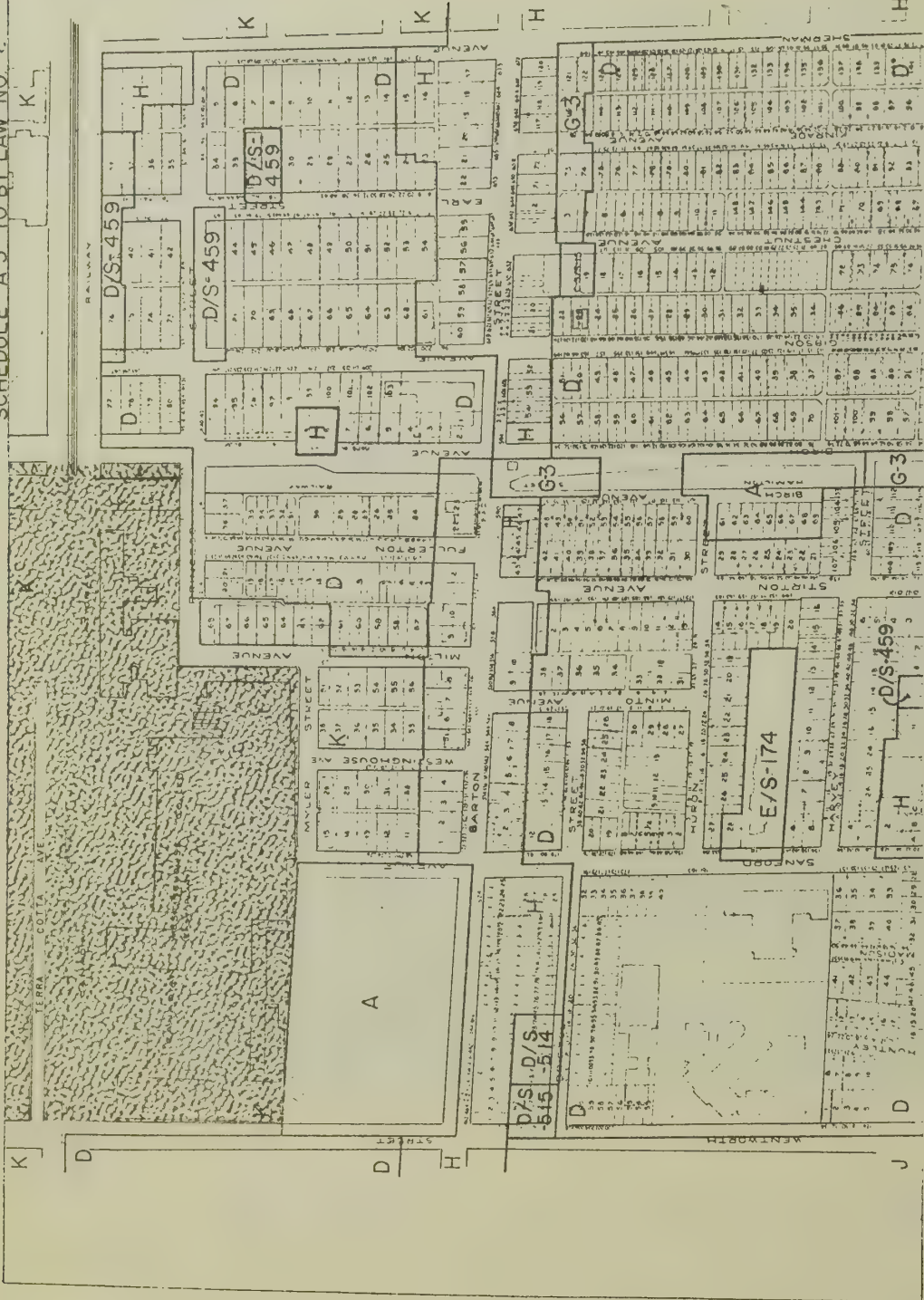
E.A. Simpson
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. H. [Signature]
Mayor

E-21

SCHEDULE "A 5" TO BY-LAW NO. 79-43



Bill No. 42

This is Schedule "A5" to By-law No. 79-43 passed the 30th day of January, 1979

Ed Simpson
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. McLeod
Mayor

Lands on Sheet No. E-21 of the Zoning District Maps to be re-zoned from "K" (Heavy Industry, etc.) District to:

"K" (Heavy Industry, etc.) District - (Modified to restrict some uses).

AREA "5"

Scale: 1" = 350'

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 44

To Amend:

Zoning By-law No. 6593

Respecting:

INDUSTRIAL USES

WHEREAS section 17C of By-law No. 6593, passed on the 25th day of July, 1950, provides for regulations for Prestige Industrial Districts;

AND WHEREAS it is desirable to provide for an additional use for the "M-14" and "M-15" (Prestige Industrial) Districts;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraph 7 of subclause (iii) of clause (d) of subsection 3 of section 17C of By-law No. 6593 is amended by adding the following subparagraph:

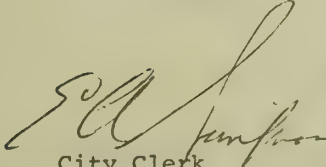
29. Moulds and Dies.

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

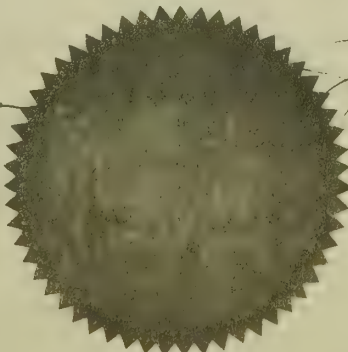
3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of January

A.D. 1979..


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 45

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE SOUTH SIDE OF BIGWIN ROAD,
IN THE AREA WEST OF PRITCHARD ROAD

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-14" (Prestige Industrial) district provisions of By-law No. 6593, passed on the 25th day of July, 1950, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. Mould and Die Manufacturing shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "M-14" District provisions,

subject to the special requirement referred to in section 1.

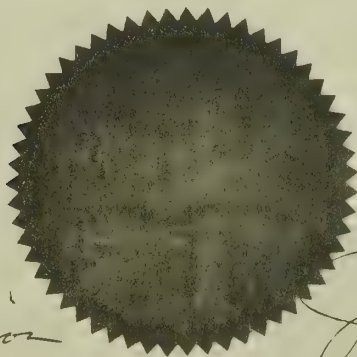
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-626".

4. Sheet No. E-69C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-626".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

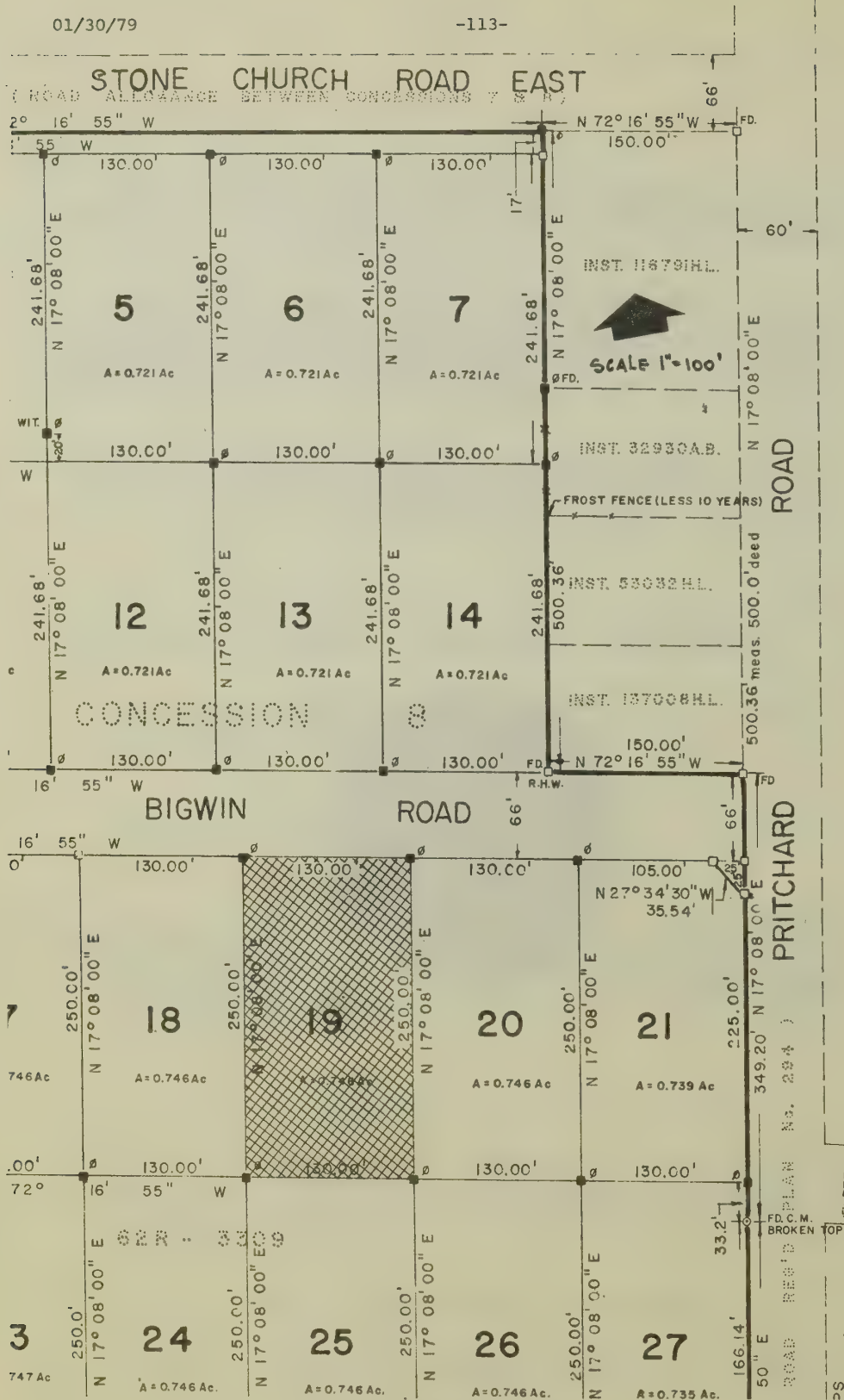
PASSED this 30th day of January A.D. 1979.



[Signature]
City Clerk

[Signature]
Mayor

Schedule "A" to By-law No. 79 -



LEGEND

Lands to be regulated by By-law No. 79 - 45



Bill No. 44

This is Schedule "A" to By-law No. 79-45 passed the 30th day of January, 1979

City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. McQuinn
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 46

To Amend:

Zoning By-law No. 77-65

Respecting:

LAND OCCUPIED BY THE MACASSA BAY YACHT CLUB

WHEREAS By-law No. 77-65, passed on the 8th day of March, 1977, rezoned land located in the West Harbour, the extent and boundaries of which are shown on schedule "A" to the By-law, from "F" (Special Waterfront) district, "J" (Light and Limited Heavy Industry, etc.) district and "K" (Heavy Industry, etc.) district to "L-pn" (Planned Development - Public and Institutional) district;

AND WHEREAS the land occupied by the Macassa Bay Yacht Club was, prior to By-law No. 77-65, zoned "F" (Special Waterfront) district;

AND WHEREAS the "F" District permits a private club use;

AND WHEREAS it is intended to rezone the land occupied by the Macassa Bay Yacht Club from "L-pn" District to "F" District.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

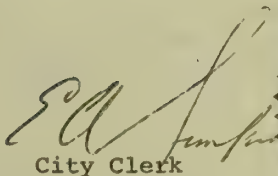
1. Sheet No. W-2 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

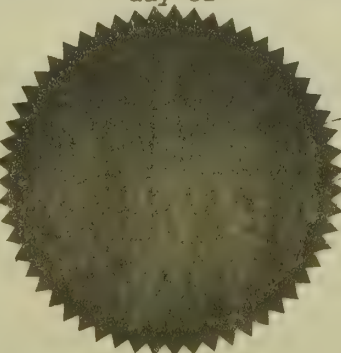
- (a) by changing from "L-pn" (Planned Development - Public and Institutional) district to "F" (Special Waterfront) district, the land,

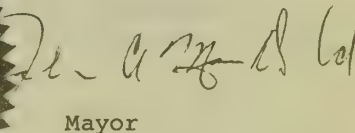
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. Schedule "A" to By-law No. 77-65 is amended by deleting therefrom the land shown on the plan hereto annexed as schedule "A".

PASSED this 30th day of January A.D. 1979.


City Clerk



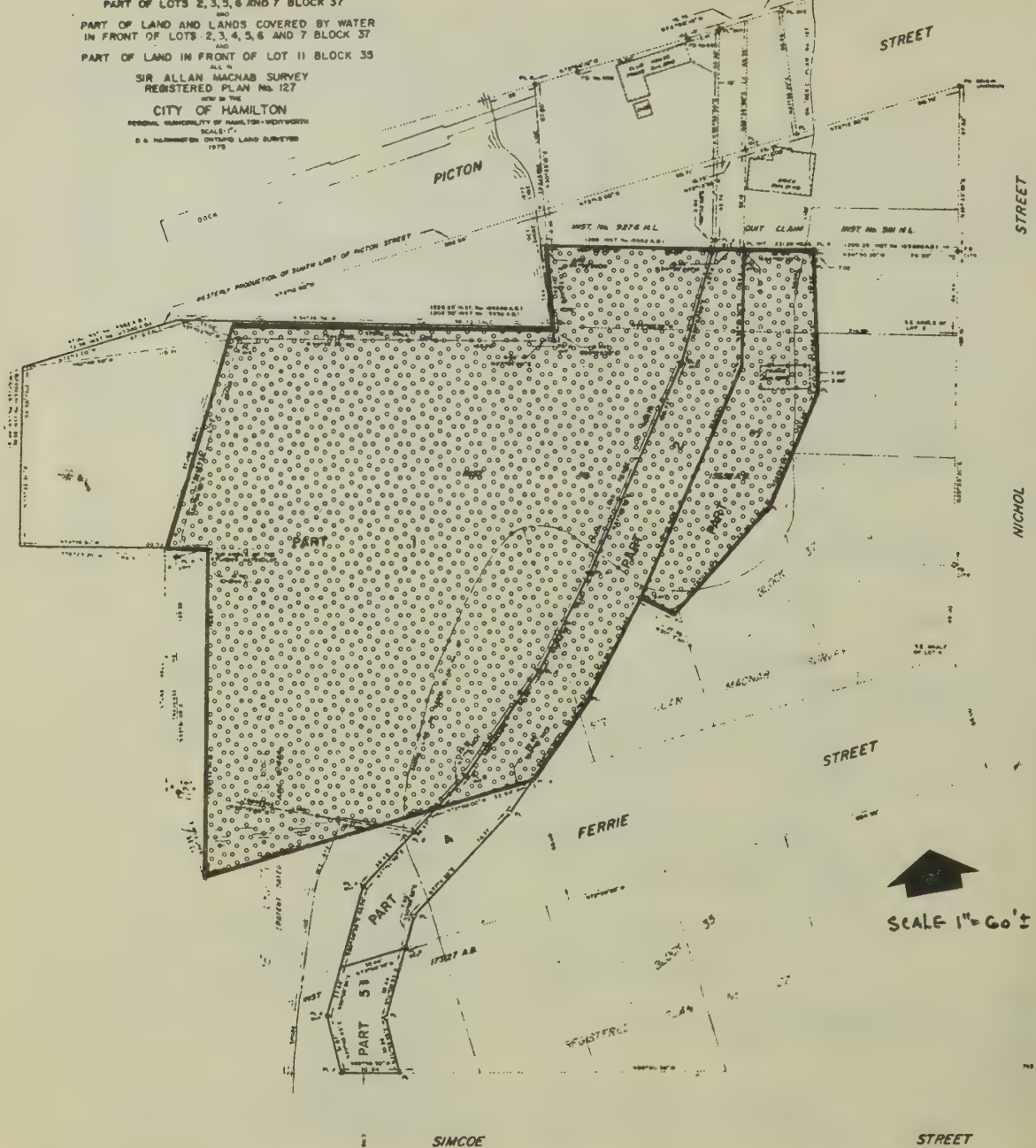

Mayor

01/30/79

-115-

Schedule "A" to By-law No. 79-

REFERENCE PLAN SHOWING
PART OF FERRIE STREET
AND
PART OF LOTS 2, 3, 5, 6 AND 7 BLOCK 37
AND
PART OF LAND AND LANDS COVERED BY WATER
IN FRONT OF LOTS 2, 3, 4, 5, 6 AND 7 BLOCK 37
AND
PART OF LAND IN FRONT OF LOT 11 BLOCK 35
ALL IN
SIR ALLAN MACNAB SURVEY
REGISTERED PLAN No. 127
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-VENTNORTH
SCALE: 1" = 60' ±
D. G. HARRINGTON SURVEYING LAND SURVEYOR
1979



LEGEND



Lands to be regulated by By-law No. 79- 46

Bill No. 45

This is Schedule "A" to By-law No. 79-46 passed the 30th day of January, 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 47

To Authorize:

CLEARANCE OF ALL BUILDINGS, STRUCTURES, DEBRIS OR REFUSE
ON THE PROPERTY LOCATED AT MUNICIPAL NO. 384 BIRCH AVENUE

WHEREAS by notice dated the 10th day of November, 1978 to the owner and all persons shown by the records of the registry office, the land titles office and the sheriff's office to have an interest in the land located at Municipal No. 384 Birch Avenue, the said persons were afforded an opportunity to appear before the Property Standards Officer on or before November 29, 1978 and to make representations in connection therewith;

AND WHEREAS by order served on the 7th day of December, 1978, the owner was required to effect repairs in accordance with the particulars contained therein or to clear the site of all buildings, structures, debris or refuse, within 30 days of the service of the order;

AND WHEREAS the owner has not effected the repairs or cleared the site within the time specified in the order;

AND WHEREAS no notice of appeal has been received by the secretary of the Property Standards Committee within 14 days of service of the order;

AND WHEREAS clause (b) of subsection 7 of section 36 of The Planning Act, R.S.O. 1970, ch. 349 provides that if the repair or clearance is not done within the time specified in the order, the municipality may effect the repair or do the clearance at the owner's expense and recover the expenses incurred in doing so by court action or in like manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to clear the site, more particularly described in schedule "A" hereto annexed, of all buildings, structures, debris or refuse and to leave the site in a graded and levelled condition.

2. It is hereby authorized and directed that the expenses incurred by the City of Hamilton in effecting the clearance referred to in section 1, shall be added to the collector's roll and shall be collected in like manner as municipal taxes.

PASSED this 30th day of January A.D. 1979.



[Signature]
City Clerk

[Signature]
Mayor

(1979) 5 R.P.D.C. 1, January 30

SCHEDULE "A"

To By-law No. 79- 47

Municipal Address: 384 Birch Avenue, Hamilton, Ontario

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario, being composed of parts of Lots number Ten (10) and Eleven (11) on the East side of Birch Avenue between the Grand Trunk Railway and Burlington Street according to M. Levy's Plan 547 Subdivision of part of Lot number Nine (9) in the First Concession of the Township of Barton and which may be more particularly described as follows, that is to say:

COMMENCING at the intersection of the Eastern limit of Birch Avenue with the Northern limit of the right of way lands of the Grand Trunk Railway Company, said point being the southwest angle of said Lot number Ten (10);

THENCE Easterly along said Northern limit of the right of way lands of the Grand Trunk Railway Company, one hundred and nine feet (109') to the Southeast angle of said Lot number Ten (10);

THENCE northeasterly along the Eastern limit of said Lot Ten (10), Seventeen feet (17') to the Northeast angle of said Lot ten (10);

THENCE Westerly in a straight line, one hundred and four feet and eight and one-half inches (104' 8 1/2") more or less to a point in the Eastern limit of Birch Avenue distant thirty-three feet (33') measured northeasterly along the said Eastern limit of Birch Avenue from the place of beginning;

THENCE southwesterly along the said Eastern limit of Birch Avenue on a curve having a radius of four hundred and three and one-tenth feet (403.01') thirty-three feet (33') to the place of beginning.

On the above described parcel of land being erected a brick dwelling known as number 384 Birch Avenue.

TOGETHER WITH the right in common with others entitled thereto to pass over, along and upon that portion of passageway lying between the Northern boundary of the herein described parcel of land and the Southern face of the Southern wall of the brick dwelling erected on the lands immediately to the north and extending from the Eastern limit of Birch Avenue easterly a distance of sixty-six feet (66');

AND SUBJECT TO the right of the owners and occupants of the brick dwelling erected on the lands immediately to the north to pass over, along and upon that portion of the passageway lying between the northern boundary of the lands herein described and the face of the northern wall of the brick dwelling erected on the lands herein described and extending from the easterly limit of Birch Avenue a distance of sixty-six feet (66').

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 48

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED NORTH OF ALBRIGHT ROAD AND WEST OF, QUIGLEY ROAD
OCCUPIED BY THE SIR WILFRED LAURIER SECONDARY SCHOOL AND
RECREATION CENTRE

WHEREAS it is intended to change the zoning of the
lands hereinafter referred to;

AND WHEREAS this by-law is in conformity with the
Official Plan of the Hamilton Planning Area, approved by the
Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the
City of Hamilton enacts as follows:

1. Sheet No. E-97 of the District Maps, appended to and
forming part of By-law No. 6593, passed on the 25th day of July,
1950, is amended,

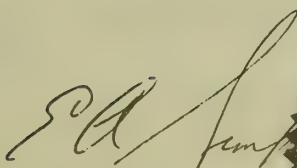
- (a) by changing from "AA" (Agricultural) district
to "C" (Urban Protected Residential, etc.)
district, the land,

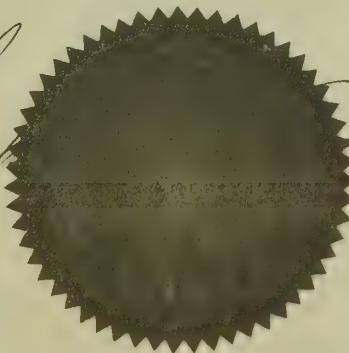
the extent and boundaries of which are shown on a plan hereto
annexed as schedule "A".

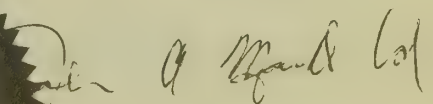
2. The City Clerk is hereby authorized and directed to
proceed as soon as possible with the giving of notice of the
passing of this by-law, including a brief explanation of its
purpose, and with the carrying out of all other directions of
the Ontario Municipal Board relating to the giving of such notice.

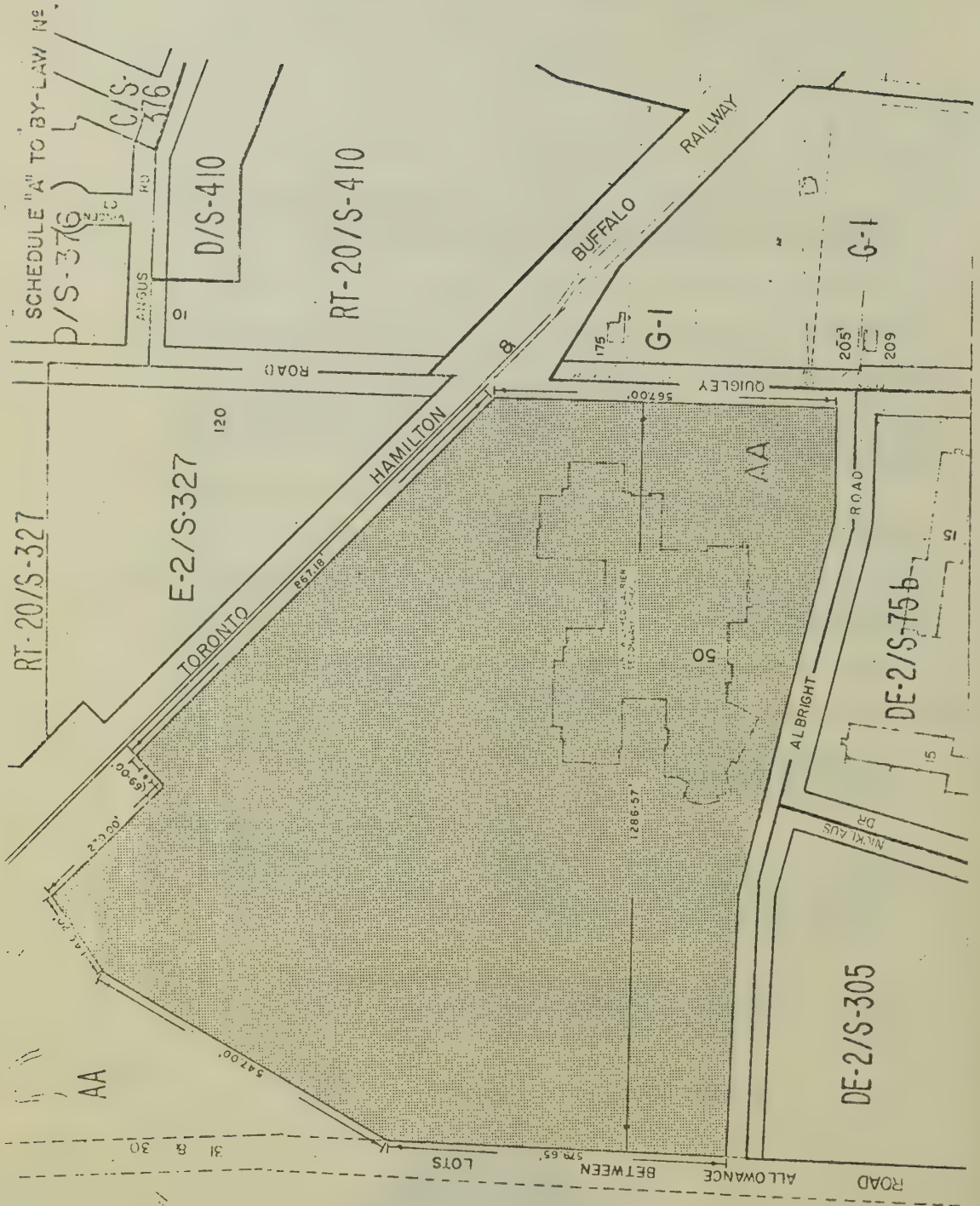
3. The City Solicitor is hereby authorized and directed to
make application to the Ontario Municipal Board for the necessary
approval of this by-law.

PASSED this 30th day of January 1979.


City Clerk




Mayor



LEGEND

Lands on part of Sheet No. E-97 of the Zoning District Maps to be re-zoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

Bill No. 47

This is Schedule "A" to By-law No. 79-48 passed the 30th day of January, 1979

THE CORPORATION OF THE CITY OF HAMILTON

John A. McDonald
Mayor

John A. McDonald
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 49

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 408 RYMAL ROAD EAST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "AA" (Agricultural) district provisions of By-law No. 6593, passed on the 25th day of July, 1950, applicable to the land the extent and boundaries of which is shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variances as special requirements:

1. Notwithstanding section 4(3)(a) of By-law No. 6593, one additional building may be erected and used for residential purposes on the land.
2. The land shall be subject to section 19C of By-law No. 6593.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "AA" District provisions,

subject to the special requirements referred to in section 1.

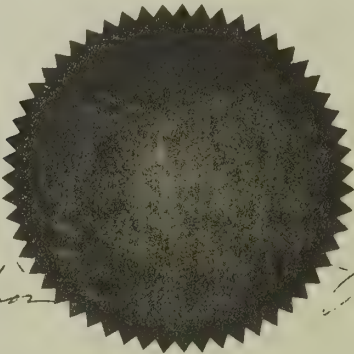
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-616".

4. Sheets Nos. E-18E and E-27E of the District Maps are amended by marking the land referred to in section 1 of this by-law, "S-616".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of January 1979.


City Clerk Mayor

(1978) 35 R.P.D.C. 2, November 28
Frank Silvestri, Owner
ZA 78-45

01/30/79

REVISED MAP FOR
PLAN 62R-756

DATED May 30, 1973

D. Mackay
LAND SURVEYOR

I HEREBY CERTIFY THAT THIS PLAN IS A TRUE AND CORRECT COPY OF THE ORIGINAL

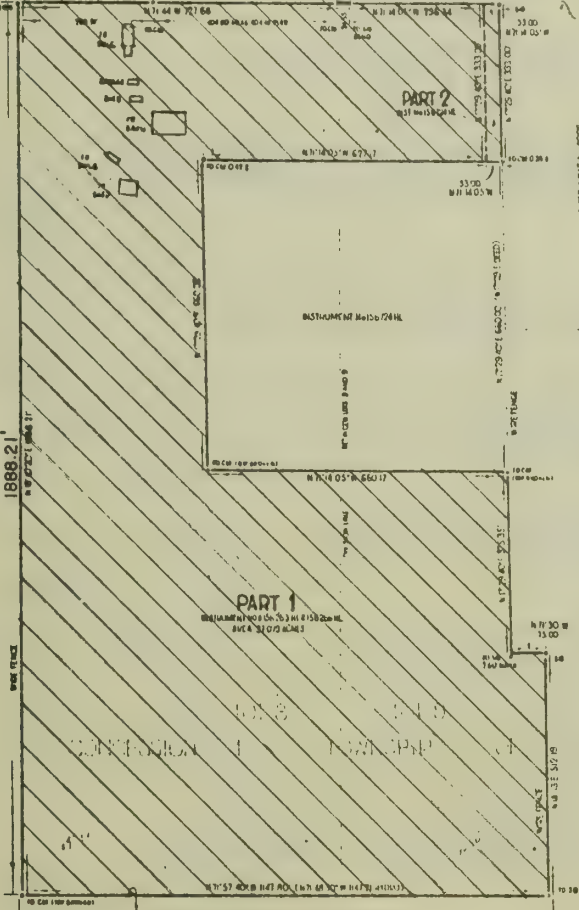
DATED

CAUTION:
THIS PLAN IS NOT A FINAL SURVEY. IT IS THE PROPERTY OF THE CITY OF HAMILTON AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.

RIMAL ROAD

BOND DISTANCE BETWEEN TOWNSHIPS OF HAMILTON AND GLANFORD (FORMERLY THE KING'S HIGHWAY No. 53)

UPPER
WENTWORTH
STREET



PLAN
PART OF LOTS 849 CONCESSION 1
TOWNSHIP OF GLANFORD
CITY OF HAMILTON
COUNTY OF WENTWORTH
SCALE 1"=200'
J. D. MACKAY S. L. S. 1973

PLAN 62R-756
CONCESSION 1
TOWNSHIP OF GLANFORD
CITY OF HAMILTON
COUNTY OF WENTWORTH
SCALE 1"=200'

BEARINGS ARE ASSUMED ASTROPHOTIC AND ARE
REFLECTED TO NORMAL, DATED AND CLOSURE TO BE IN 1973
ADJUSTING TO DEPARTURE PLAN 62R-756

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT:

1. THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE SURVEY ACT AND REGULATION ACT AND THE DELEGATED POWER

2. THE SURVEY WAS COMPLETED ON THE 28th DAY OF MAY 1973

HAMILTON ONT MAY 28 1973

J. D. Mackay
J. D. MACKAY
ONTARIO LAND SURVEYOR

MACKAY & MACKAY & PETERS
(HAMILTON AND LONDON)
HAMILTON ONTARIO

Bill No. 48

This is Schedule "A" to By-law No. 79-49 passed the 30th day of January, 1979

E. A. [Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. Mackay
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79- 50

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE EAST SIDE OF REXFORD¹ DRIVE
AT LOCONDER DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38B of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "RT-20" (Townhouse - Maisonette) district and "AA" (Agricultural) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "D" district provisions applicable to the lands referred to in section 1 are amended to the extent only of the following variances as special requirements:

- 1. Section 10(1)(iii) of By-law No. 6593 shall not apply.
- 2. Notwithstanding section 10(3)(ii) of By-law No. 6593, no side yard shall be required along one side of each lot, except that a minimum side yard of 4 feet shall be required for that side of a lot flanking a street.

3. Notwithstanding section 10(4)(i) of By-law No. 6593, a lot for a single family dwelling shall have a width of at least 30 feet and an area of at least 3,000 square feet.

4. The land shall be subject to section 19C of By-law No. 6593.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "D" district provisions,

subject to the special requirements referred to in section 2.

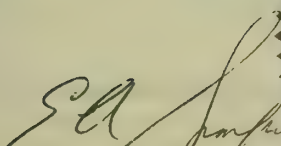
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-618".

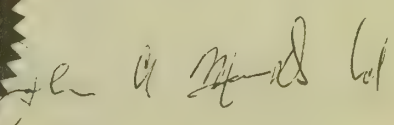
5. Sheet No. E-38B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-618".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of January 1979.


City Clerk


Mayor

(1978) 35 R.P.D.C. 6, November 28
Robert Shelley Construction Limited,
Frank Husack Limited, DiCenzo
Construction Limited and Canada
Permanent Limited, owners and
Direction South Management Limited, owner
ZA 78-54
ZA 78-57

SCHEDULE "A" TO BY-LAW N°:

E-21S
-226

[illegible]

LEGEND

Lands on Part of Sheet No. E-388 of the Zoning District Maps to be re-zoned from "RT-20" (Townhouse and Maisonette) District and "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.

Scale: 1" = 100'

Bill No. 49

This is Schedule "A" to By-law No. 79-50 passed the 30th day of January, 1979

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 51

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED WEST OF GRAYS ROAD
IN THE AREA NORTH OF QUEENSTON ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-124 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The "D" District provisions applicable to the lands referred to in clause (b) of section 1 are amended to the extent only of the following variance as a special requirement:

- 1. Section 10(1)(iii) of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall the land referred to in clause (b) of section 1 be used, except in accordance with,

(a) the "D" District provisions,

subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-613".

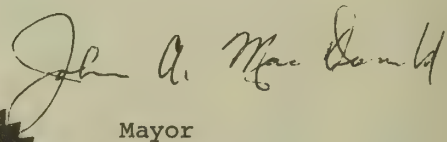
5. Sheet No. E-124 of the District Maps is amended by marking the land referred to in clause (b) of section 1 of this by-law, "S-613".

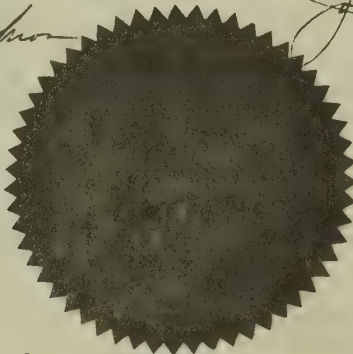
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of January A.D. 1979.


City Clerk


Mayor



(1978) 33 R.P.D.C. 3, October 31
E. Catania, O. Maiuri, and
A. Giannattasio, Owners
Z.A. 78-49

SCHEDULE "A" TO BY-LAW 79-
PLAN
SHOWING

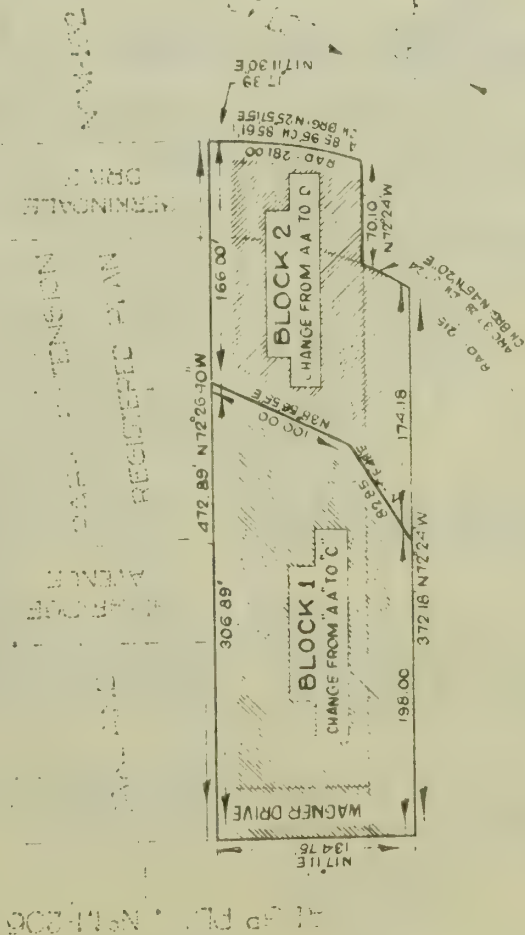
PART OF LOT 10 & PART OF FEDERAL STREET
AND PART OF WAGNER DRIVE ACCORDING TO
THE VAN WAGNER PLAN - REGISTERED PLAN No 772
IN THE

CITY OF HAMILTON

IN THE
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE 1"=100'

TOWN OF STONEY CREEK

CITY OF HAMILTON



Mackoy, Mackoy & Peters Limited
LAND SURVEYORS
100 MAIN STREET EAST, HAMILTON, ONTARIO
ON CANADA L8N 1K7

Bill No. 50

This is Schedule "A" to By-law No. 79-51 passed the 30th day of January, 1979

SA Simpson
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. MacKay
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 52

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF GLASSCO AVENUE
IN THE AREA NORTH OF QUEENSTON ROAD

WHEREAS it is intended to change the zoning of the
lands hereinafter referred to;

AND WHEREAS this by-law is in conformity with the
Official Plan of the Hamilton Planning Area, approved by the
Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the
City of Hamilton enacts as follows:

1. Sheet No. E-85 of the District Maps, appended to and
forming part of By-law No. 6593, passed on the 25th day of July,
1950, is amended,

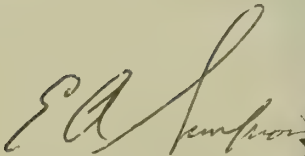
- (a) by changing from "C" (Urban Protected Resi-
dential, etc.) district to "G-3" (Public
Parking Lot) district, the land,

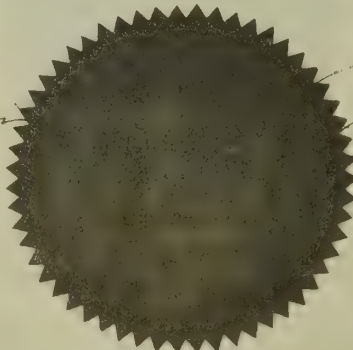
the extent and boundaries of which are shown on a plan hereto
annexed as schedule "A".

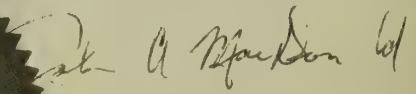
2. The City Clerk is hereby authorized and directed to
proceed as soon as possible with the giving of notice of the
passing of this by-law, including a brief explanation of its
purpose, and with the carrying out of all other directions of
the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to
make application to the Ontario Municipal Board for the necessary
approval of this by-law.

PASSED this 30th day of January 1979.


City Clerk




Mayor

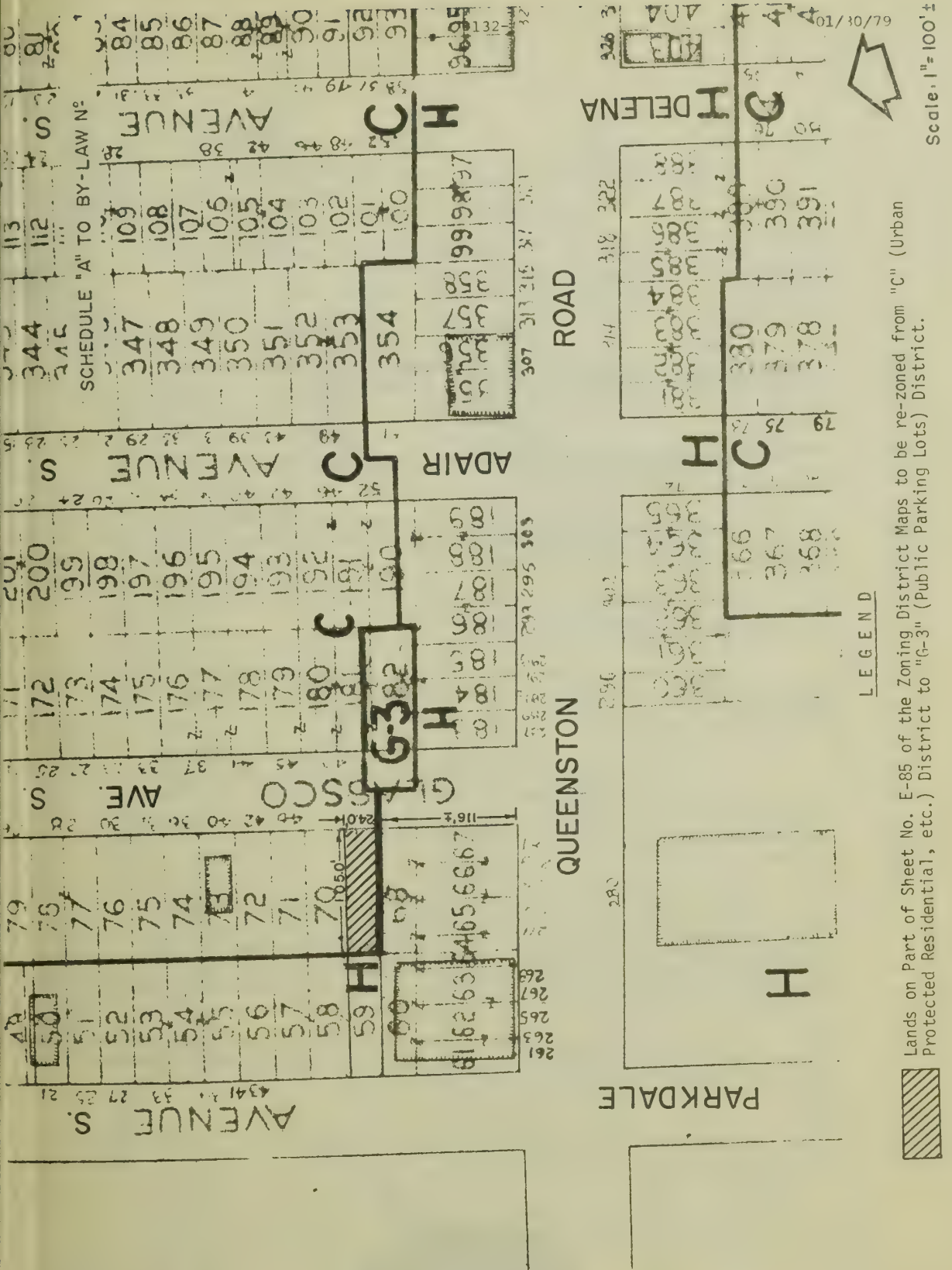
This is Schedule "A" to By-law No. 79-52 passed the 30th day of January, 1979

Ed Simpson
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. McLeod
Mayor

Bill No. 51



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 53

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF UPPER WENTWORTH STREET,
IN THE AREA SOUTH OF MOHAWK ROAD

WHEREAS it is intended to change the zoning of the
lands hereinafter referred to;

AND WHEREAS this by-law is in conformity with the
Official Plan of the Hamilton Planning Area, approved by the
Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the
City of Hamilton enacts as follows:

1. Sheet No. E-18 of the District Maps, appended to and
forming part of By-law No. 6593, passed on the 25th day of
July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district
to "D" (Urban Protected Residential - One and
Two Family Dwellings, etc.) district, the land,

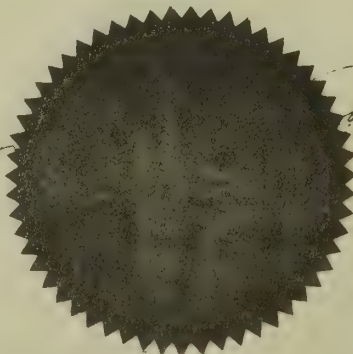
the extent and boundaries of which are shown on a plan hereto
annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to
proceed as soon as possible with the giving of notice of the
passing of this by-law, including a brief explanation of its
purpose, and with the carrying out of all other directions of
the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to
make application to the Ontario Municipal Board for the necessary
approval of this by-law.

PASSED this 30th day of January 1979.

E. A. [Signature]
City Clerk

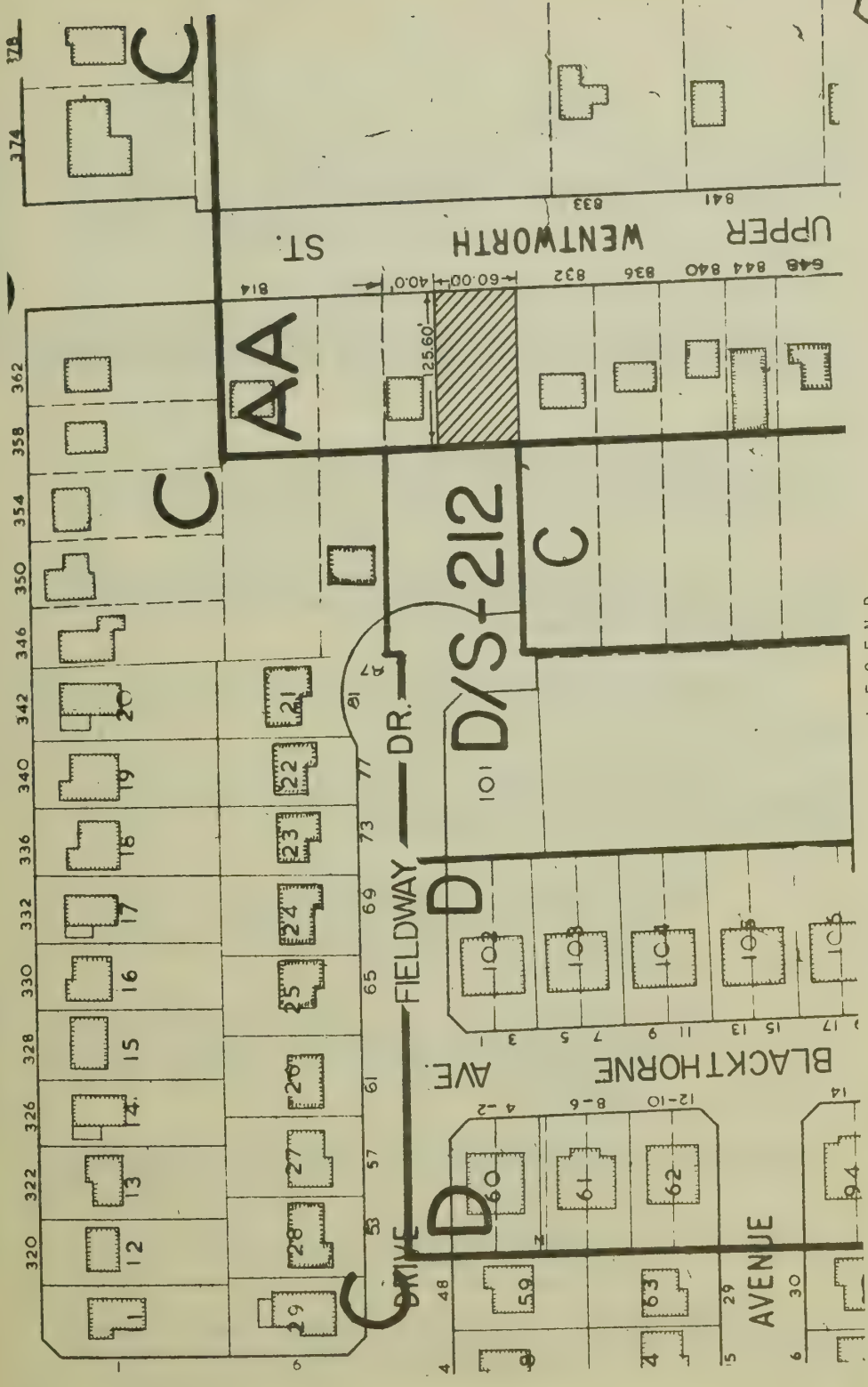


John A. MacDonell
Mayor

15 317 319 323 327 331

MOHAWK ROAD EAST

SCHEDULE "A" TO BY-LAW No 79A



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 54

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED IN THE AREA SOUTH OF STONE CHURCH ROAD EAST,
BETWEEN UPPER WENTWORTH STREET AND UPPER WELLINGTON STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-18C and E-18D of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, are amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Blocks 1, 2, and 3; and
- (b) by changing from "AA" (Agricultural) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Blocks 4, 5, 6, 7, 8, 9, 10, and 11; and
- (c) by changing from "AA" (Agricultural) district to "RT-30" (Street - Townhouse) district, the land comprised in Blocks 12, 13, 14, and 15; and
- (d) by changing from "AA" (Agricultural) district to "E-2" (Multiple Dwellings) district, the land comprised in Blocks 16, 17, 18, and 19; and
- (e) by changing from "AA" (Agricultural) district to "G-1" (Designed Shopping Centre) district, the land comprised in Block 20,

the extent and boundaries of each of which Blocks 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, are shown on a plan hereto annexed as schedule "A".

2. The "D" and "E-2" District provisions applicable to the lands referred to in clauses (b) and (d) of section 1 are amended to the extent only of the following variances as special requirements:

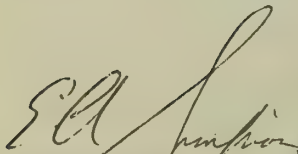
1. As to the "D" District provisions applicable to Blocks 4, 5, and 6,
 - (a) Section 10(1)(iii) of By-law No. 6593 shall not apply.
2. As to the "D" District provisions applicable to Blocks 7, 8, 9, 10, and 11,
 - (a) Section 10(1)(iii) of By-law No. 6593 shall not apply; and
 - (b) Notwithstanding section 10(3)(ii) of By-law No. 6593, no side yard shall be required along one side of each lot, except that a minimum side yard of 4 feet shall be required for that side of a lot flanking a street; and
 - (c) Notwithstanding section 10(4) of By-law No. 6593, a lot for a single family dwelling shall have a minimum width of 30 feet and a minimum area of 3,000 square feet; and
 - (d) The land shall be subject to section 19C of By-law No. 6593.
3. As to the "E-2" District provisions applicable to,
 - (a) Block 16, the density of development shall not exceed 79 dwelling units;
 - (b) Block 17, the density of development shall not exceed 82 dwelling units;
 - (c) Block 18, the density of development shall not exceed 80 dwelling units;
 - (d) Block 19, the density of development shall not exceed 80 dwelling units.

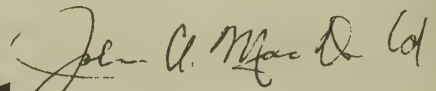
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

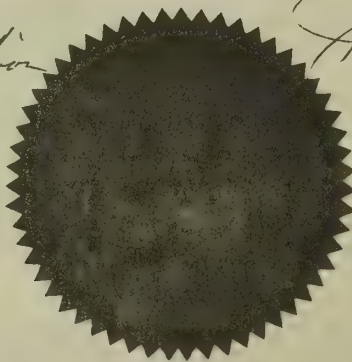
- (a) the "D" District provisions applicable to Blocks 4, 5, and 6, subject to the special requirement referred to in clause (a) of paragraph 1 of section 2; and

- (b) the "D" District provisions applicable to Blocks 7, 8, 9, 10, and 11, subject to the special requirements referred to in clauses (a), (b), (c), and (d) of paragraph 2 of section 2; and
- (c) the "E-2" District provisions applicable to Blocks 16, 17, 18, and 19, subject to the special requirements respectively referred to in clauses (a), (b), (c), and (d) of paragraph 3 of section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-620".
5. Sheets Nos. E-18C and E-18D of the District Maps are amended by marking the lands referred to in clauses (b) and (d) of section 1 of this by-law, "S-620".
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of January A.D. 1979.


City Clerk


Mayor

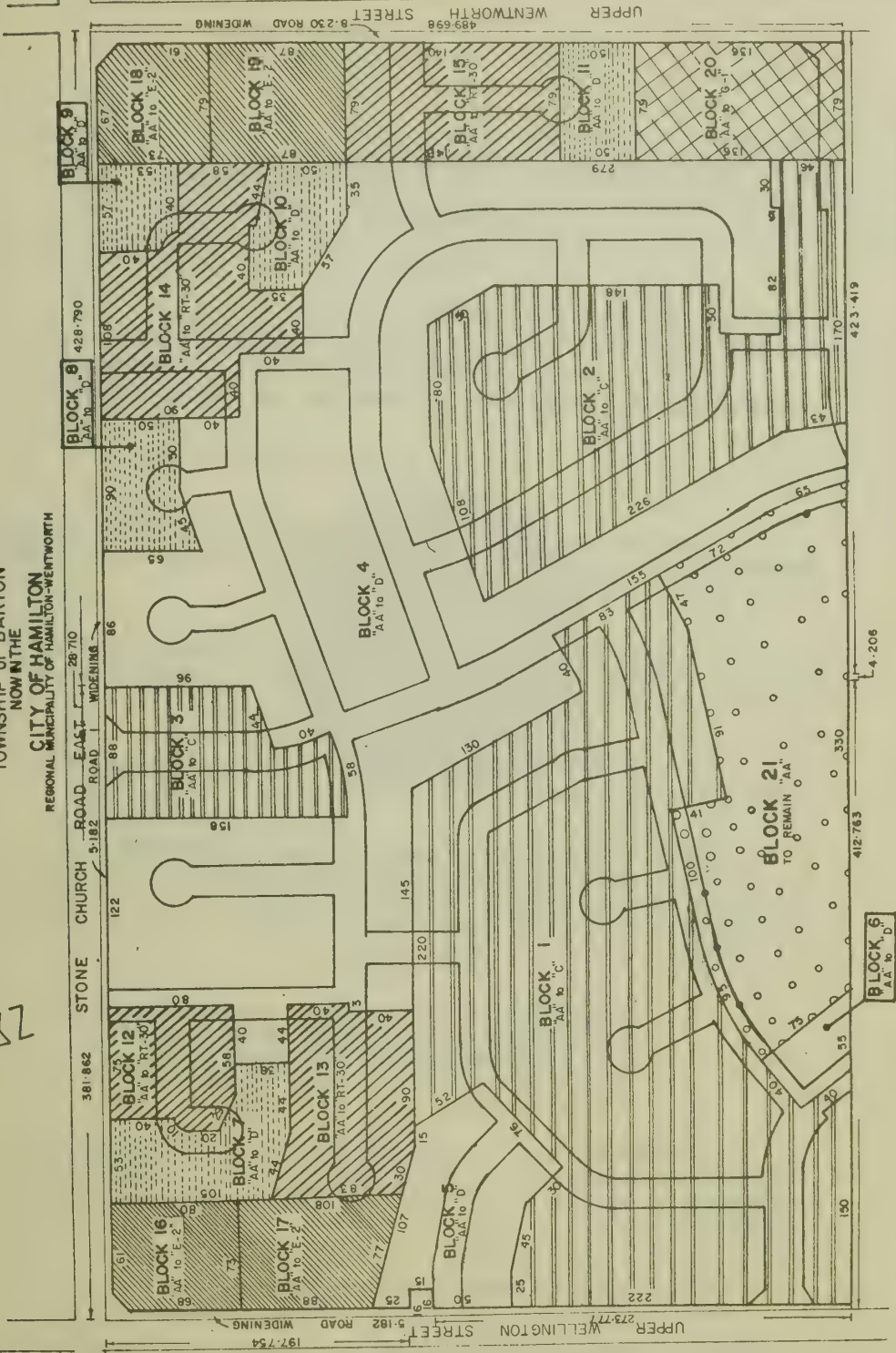


(1978) 37 R.P.D.C. 1, December 12
Mentino Investments Limited and
Sparen Investments Limited, Owners
ZA 77-47

SCHEDULE "A" TO BY-LAW NO

CAUTION: METRIC DISTANCES

PLAN SHOWING
PART LOTS 11 & 12
CONCESSION 8
TOWNSHIP of BARTON
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH



H. B. ASHENHURST
ONTARIO LAND SURVEYOR
HAMILTON - ONTARIO
FILE: 7811

Bill No. 53

This is Schedule "A" to By-law No. 79-54 passed the 30th day of January, 1979

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 55

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT NOS. 635, 637 and 639 MAIN STREET EAST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions of By-law No. 6593, applicable to the lands the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. Clause (b) of paragraph 1 and paragraph 2 of subsection 12 of section 18 of By-law No. 6593, as enacted by section 8 of By-law No. 78-184, passed on the 28th day of June, 1978, shall not apply.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "H" District provisions,

subject to the special requirement referred to in section 1.

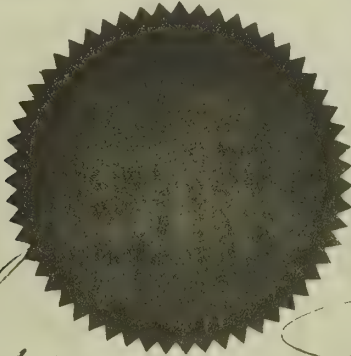
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-622".

4. Sheet No. E-22 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-622".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of January 1979.



[Signature]
City Clerk

[Signature]
Mayor

(1978) 33 R.P.D.C. 7, October 31
City Initiative 77-W
D.A. 78-59
(1979) 1 R.P.D.C. 5, January 9
Legal File No. 40-5.1317

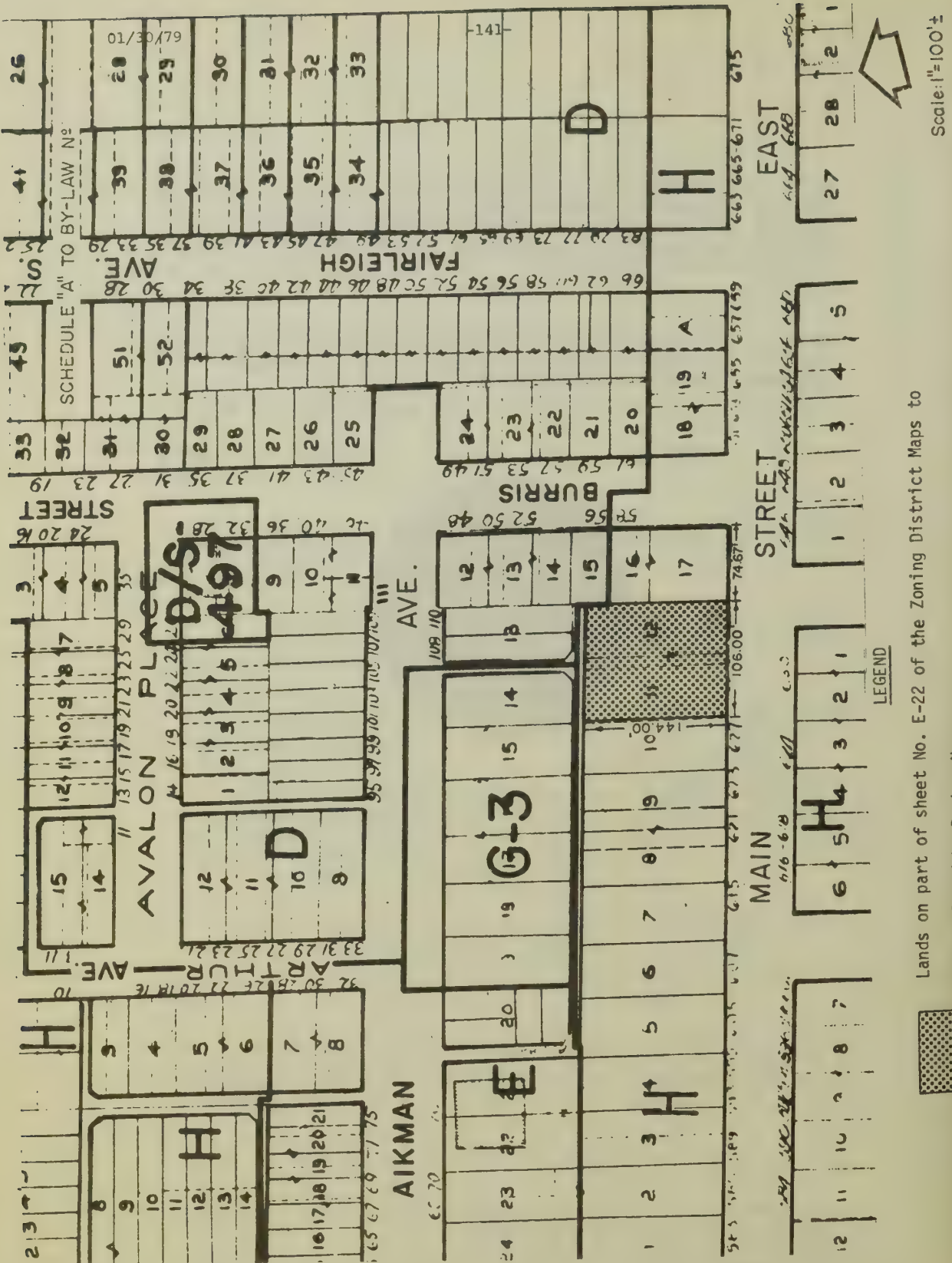
This is Schedule "A" to By-law No. 79-55 passed the 30th day of January, 1979

THE CORPORATION OF THE CITY OF HAMILTON

E. A. Sampson
City Clerk

John A. MacDonald
Mayor

Bill No. 54



Bill No. 55

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 56

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 1298, 1302, and 1304 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9C of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district to "AA" (Agricultural) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "AA" district provisions applicable to the lands referred to in section 1 are amended to the extent only of the following variances as special requirements:

- 1. A garden nursery centre for the sale of nursery and garden accessory products shall be a permitted use.
- 2. The land shall be subject to section 19C of By-law No. 6593.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

- (a) the "AA" District provisions,

subject to the special requirements referred to in section 2.

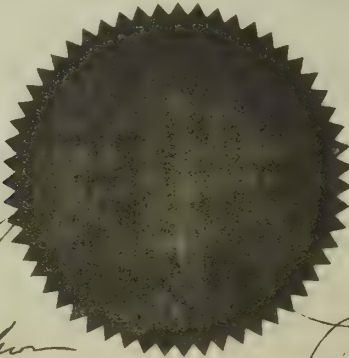
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-621".

5. Sheet No. W-9C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-621".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of January 1979.


City Clerk Mayor

SCHEDULE "A" TO BY-LAW NO

5

AA

3

G-3/S-440

H/S-7

H/S-7

H/S-7

H/S-7

STONE

CHURCH

RD.

W.

41 37 33 27 21

LEGEND



Lands on part of Sheet No. W-9C of the Zoning District maps to be re-zoned from "C" (Urban Protected, Residential, etc.) District to "AA" (Agricultural) District.



Scale: 1"=100'

Bill No. 55

This is Schedule "A" to By-law No. 79-56 passed the 30th day of January, 1979

THE CORPORATION OF THE CITY OF HAMILTON

E.A. [Signature]
City Clerk

J. A. MacDonald
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 57

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 264 MacNAB STREET SOUTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) district provisions of By-law No. 6593, passed on the 25th day of July, 1950, applicable to the land the extent and boundaries of which is shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. Notwithstanding section 9(1) and Section 19 of By-law No. 6593, the existing building may be converted into a three-family dwelling.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "C" District provisions,

subject to the special requirement referred to in section 1.

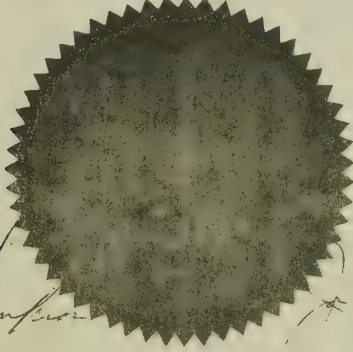
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-623".

4. Sheet No. W-6 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-623".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of January 1979.


City Clerk Mayor

(1979) 1 R.P.D.C. 1, January 9
Frank LoPresti, Owner
ZA 78-62

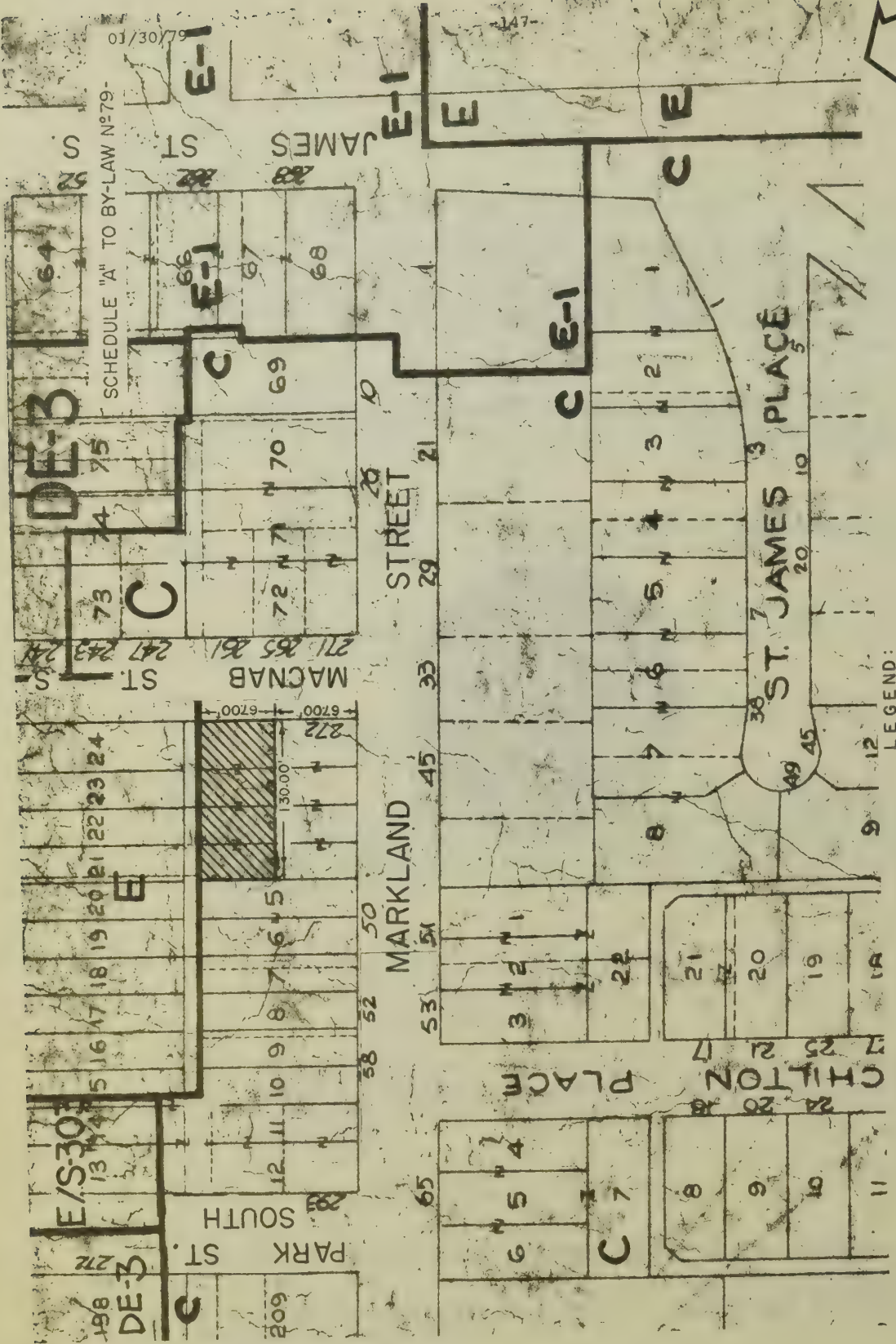
This is Schedule "A" to By-law No. 79-57 passed the 30th day of January, 1979

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

Bill No. 56



Lands on part of sheet No. W-6 of The Zoning District Maps to be regulated by By-Law No.79

Scale, 1"=100'

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 58

To Remove:

PART OF "HOLDEN AND PAPPS SURVEY" REGISTERED PLAN OF SUBDIVISION
FROM PART LOT CONTROL

WHEREAS subsection 5 of section 29 of The Planning Act, R.S.O. 1970, Chapter 349, provides as follows:

- (5) Notwithstanding subsection 4, the council of a municipality may by by-law provide that subsection 4 does not apply to land that is within such registered plan or plans of subdivision or part or parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection 4 ceases to apply to such land,....

AND WHEREAS subsection 4 of section 29 of The Planning Act establishes part lot control of land within a registered plan of subdivision;

AND WHEREAS authority to approve by-laws enacted under subsection 5 of section 29 of The Planning Act was delegated to the Council of The Regional Municipality of Hamilton-Wentworth by O. Reg. 443/75;

AND WHEREAS it is desirable to exempt certain lands from part lot control.

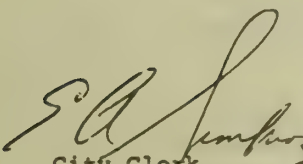
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

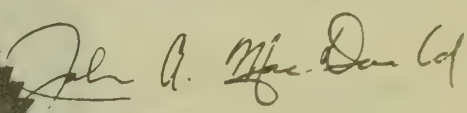
- * 1. Subsection 4 of section 29 of The Planning Act, R.S.O. 1970, Chapter 349 as amended by Statutes of Ontario 1972, Chapter 118, S. 3, shall not apply to the following lands:

1. Lots 3, 4 and 5 on Registered Plan No. 120, dated the 30th day of April, 1857.

PASSED this 30th day of January

A.D. 1979.


City Clerk


Mayor

(1979) 1 R.P.D.C. 9, January 9

AS AMENDED

1. Subsection 4 of Section 29 of The Planning Act, R.S.O. 1970, Chapter 349 as amended by Statutes of Ontario 1972, Chapter 118, S. 3, shall not apply after the 1st day of December, 1975, to the following lands:

Bill No. 57

BY-LAW No. 79- 59

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 30TH DAY OF JANUARY, A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

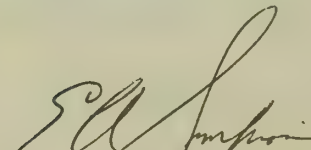
AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970 the powers of every Council are to be exercised by by-law;

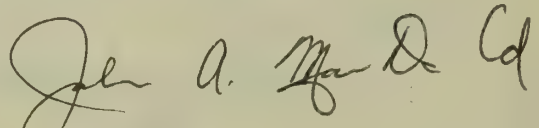
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 30th day of January A.D., 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 60

To Authorize:

PAYMENT OF REMUNERATION TO MEMBERS OF COUNCIL

WHEREAS section 388 of The Municipal Act, R.S.O. 1970, c. 284, as re-enacted by 1977, c. 48, S. 7 provides as follows:

388. (1) Notwithstanding the provisions of any general or special Act, the council of a municipality may pass by-laws for paying remuneration to the members of council, and such remuneration may be determined in any manner that council considers advisable.

(2) The remuneration to be paid may be determined in different manners and be of different amounts for different members of council.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The remuneration for members of council shall be an annual remuneration in the amounts set out in column 2 of Table 1 for the corresponding office set out in column 1.

TABLE 1

Office (column 1)	Annual Remuneration (column 2)
1. Mayor	1. \$32,000.00
2. Member of Board of Control	2. \$21,000.00
3. Alderman	3. \$11,500.00

2. The remuneration mentioned in section 1 shall be paid every two weeks commencing January 1, 1979 and continue thereafter during each year from year to year.

3. By-law No. 74-224, passed on the 24th day of September, 1974, is repealed.

Read a first and second time on this 30th day of January, 1979.

Read a third time and finally passed this 13th day of February A.D., 1979.

Deputy City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 61

To Amend:

By-law No. 68-152

Respecting:

THE BUILDING DEPARTMENT

WHEREAS By-law No. 68-152, passed on the 14th day of May, 1968, was enacted in accordance with S. 248b of The Municipal Act, R.S.O. 1960, now S. 249 of The Municipal Act, R.S.O. 1970, Chapter 284, authorizing the destruction of documents;

AND WHEREAS it is intended to amend By-law No. 68-152 by providing for the establishment of a schedule of retention periods during which various records of the Building Department may not be destroyed.

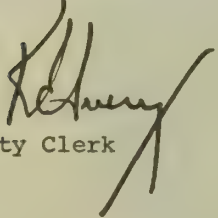
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

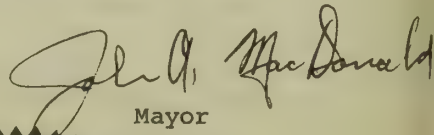
1. Section 1 of By-law No. 68-152, as amended by section 1 of By-law No. 68-284, section 1 of By-law No. 74-10, section 1 of By-law No. 74-122, and section 1 of By-law No. 78-233, is further amended by inserting after "11" in the fourth line, "12", so that the section shall read as follows:

1. The retention periods during which receipts, vouchers, instruments, rolls or other documents, records and papers, (hereinafter referred to as the "Documents"), be and are hereby established in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, (hereinafter referred to as the "Schedules").

2. This By-law comes into force on the day it receives approval by the auditor of The Corporation of the City of Hamilton.

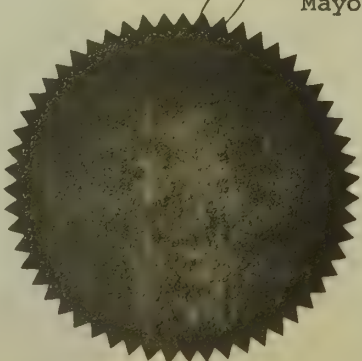
PASSED this 13th day of February A.D. 1979.


Deputy City Clerk


Mayor

Approved by MacGillivray & Co., the
Auditor of The Corporation of the
City of Hamilton, Municipal Licence
#4562

Dated at the City of Hamilton, this
day of 1979.



SCHEDULE 12

To By-law No. 79- 61

THE BUILDING DEPARTMENT

<u>Description of Records</u>	<u>Period of Retention</u>
1. Building Permits and Related Documents	7 years
2. Orders and Inspection Reports	7 years
3. General Correspondence	5 years

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 62

To Amend:

Zoning By-law No. 78-5

Respecting:

LAND LOCATED AT MUNICIPAL NO. 290 CAROLINE STREET SOUTH

WHEREAS By-law No. 78-5, passed on the 10th day of January, 1978, provided for a modification of the "D" District provisions applicable to the property at No. 290 Caroline Street South so as to permit the extension and conversion of the existing building into a 4-family dwelling;

AND WHEREAS the Ontario Municipal Board in its decision dated the 17th day of November, 1978 decided (inter alia) as follows:

"Although the Board is satisfied with the general planning aspects of this application, it is concerned about two matters of detail raised at the hearing. First, in order to implement the proposed conversion, it will be necessary to exempt the subject lands at the south lot line from the side yard setback provisions of the parent by-law. Second, the Board is not persuaded that the conversion will comply with the parent by-law requirement that there be only one house on one lot. The Board will therefore withhold its approval of By-law 78-5 so that the City can pass an amending by-law to satisfy the Board's concern on these two matters."

AND WHEREAS it is intended in this by-law to provide for exemption from side yard requirements along the southerly lot line, and for two residential buildings to be located on the same lot;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 78-5 is amended by adding thereto the following:

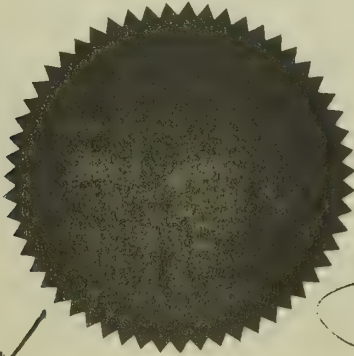
2. Section 4(3)(a) of By-law No. 6593 shall not apply.

3. Notwithstanding section 10(3)(ii) of By-law No. 6593, a side yard shall not be required along the southerly lot line.

2. By-law No. 6593 is amended by adding this by-law to section 19B as "S-554A".

3. Sheet No. W-6 of the District Maps is amended by marking the lands referred to in section 1 of By-law No. 78-5, "S-554A".

PASSED this 13th day of February A.D. 1979.



K. Chumy

Deputy City Clerk

John A. McNeil

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 63

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 384 UPPER HORNING ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-43B of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

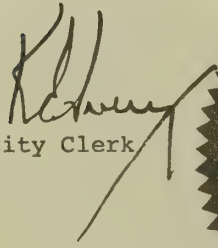
- (a) by changing from "B" (Suburban Agriculture and Residential, etc.) district to "B-2" (Suburban Residential) district, the land,

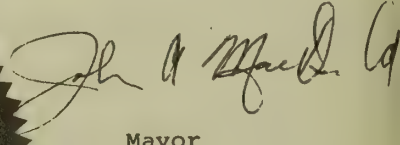
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 13th day of February A.D. 1979.

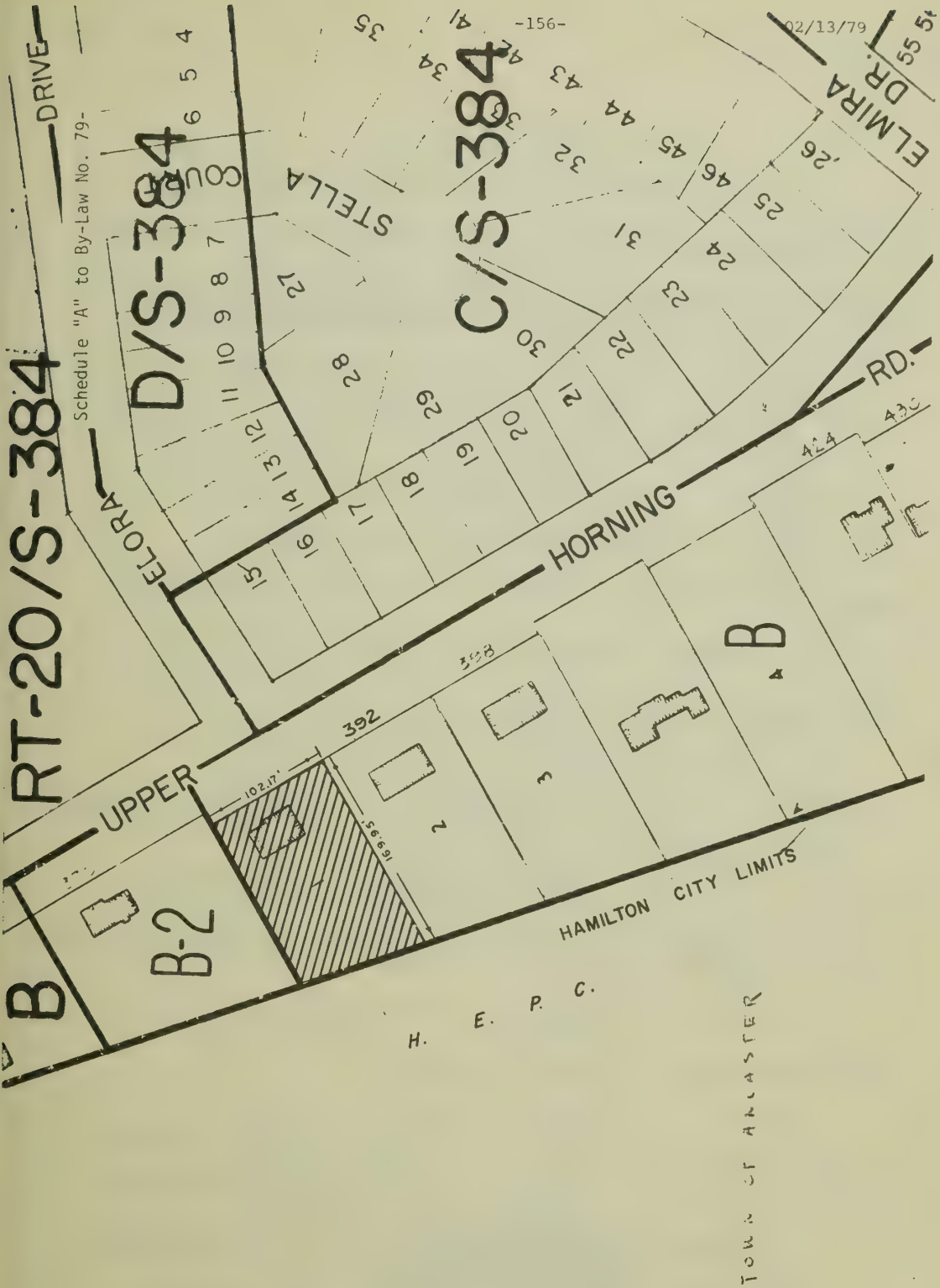

Deputy City Clerk


Mayor

RT-20/S-384

DRIVE

Schedule "A" to By-Law No. 79-



LEGEND

Lands on part of sheet no. W-43B of the zoning district maps to be re-zoned from "B" (Suburban Agriculture and Residential, etc.) district to "B-2" (Suburban Residential) district.



Scale: 1"=100'

Bill No. 61

This is Schedule "A" to By-law No. 79-63 passed the 13th day of February, 1979

[Signature]
Deputy City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

BY-LAW NO. 79 - 64

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 24 (Parking Meter Locations) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended by deleting from Section 2 (Two Hour Limit) the following items, namely:-

"Jackson	North	From 171 ft. east of Hess to Caroline
Jackson	South	Hess to 270 ft. easterly",

and by adding to Section 1 (Three Hour Limit) the following items, namely:-

"Jackson	North	From 171 ft. east of Hess to Caroline
Jackson	South	Hess to 270 ft. easterly".

2. Schedule 25A (Parking Time Limits) is hereby amended;

(a) by deleting from Section 5 (One Hour Limit) the following item, namely:-

"Oakwood	North and	Sterling to Whitton",
	West	

and by adding thereto the following item, namely:-

"Oakwood	South and	Sterling to Whitton".
	East	

(b) by adding to Section 8 (Two Hour Limit) the following items, namely:-

"Wexford	East	Main to Maple
Shaw	North	From 212 ft. east of Douglas
		to 55 ft. easterly".

3. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following item, namely:-

"Oakwood	South and	Sterling to Whitton",
	East	

and by adding thereto the following items, namely:-

"Oakwood	North and	Sterling to Whitton
	West	
Oakland	West	From north street line of Oakland
		to 70 ft. southerly
Hixon	South	From 38 ft. east of Mount Albion
		to 62 ft. easterly
Falkirk	Both	Courtland to 70 ft. easterly
Congress Cresc.	North	From 200 ft. west of Mount Albion
		to 25 ft. westerly
Courtland	East	From 65 ft. north of Falkirk to
		65 ft. south of Falkirk".

PASSED this 13th day of February, A.D. 1979.

Deputy City Clerk

Mayor

BY-LAW NO. 79 - 65

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended by deleting therefrom the following item, namely:-

"Behan	Eastbound	Bellington",
--------	-----------	--------------

and by adding thereto the following items, namely:-

"West Ave.	Northbound and Southbound	Robert
William	Northbound	Birge
Evans	Eastbound and Westbound	East Ave.
Century	Eastbound and Westbound	Ashley
Nightingale	Eastbound and Westbound	Ashley
Kelly	Eastbound and Westbound	Elgin
Campbell	Westbound	Belmont
Behan	Eastbound	Bellington
		(easterly leg)".

2. Schedule 11 (Yield Right-of-Way Signs) is hereby amended by deleting therefrom the following items, namely:-

"William	Northbound	Birge
Robert	Eastbound and Westbound	West Ave.
Evans	Eastbound and Westbound	East Ave.
Century	Eastbound and Westbound	Ashley
Nightingale	Eastbound and Westbound	Ashley
Kelly	Eastbound and Westbound	Elgin
Belmont	Northbound and Southbound	Campbell".

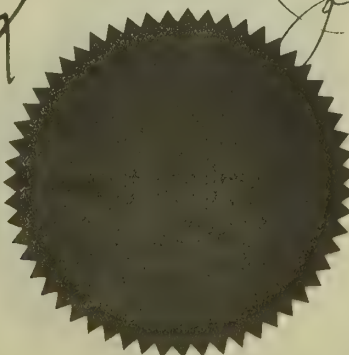
3. Schedule 30 (Commercial Vehicle Loading Zones) is hereby amended by deleting therefrom the following item, namely:-

"Stirton	East	43 ft.	42 ft. north of	8:00 AM -
			Harvey	6:00 PM".

PASSED this 13th day of February, A.D. 1979.

Deputy City Clerk

Mayor



Bill No. 64

BY-LAW No. 79- 66

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 13TH DAY OF FEBRUARY, A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

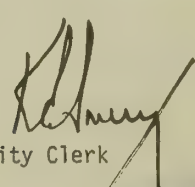
AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

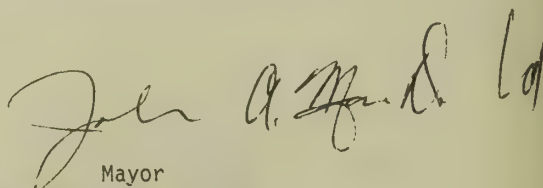
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

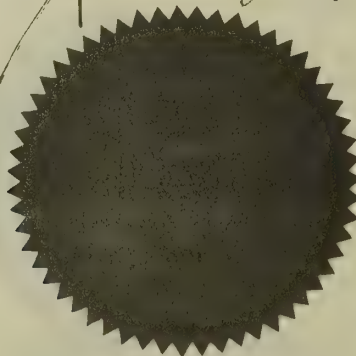
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 13th day of February A.D., 1979.


Deputy City Clerk


Mayor



Bill No. 66

BY-LAW No. 79-67

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 20th DAY OF February A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 20th day of February A.D., 1979.

[Signature]
City Clerk

[Signature]

Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 68

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF NOS. 1170-1180 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9B of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district to "G-3" (Public Parking Lots) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 27th day of February A.D. 1979.


City Clerk

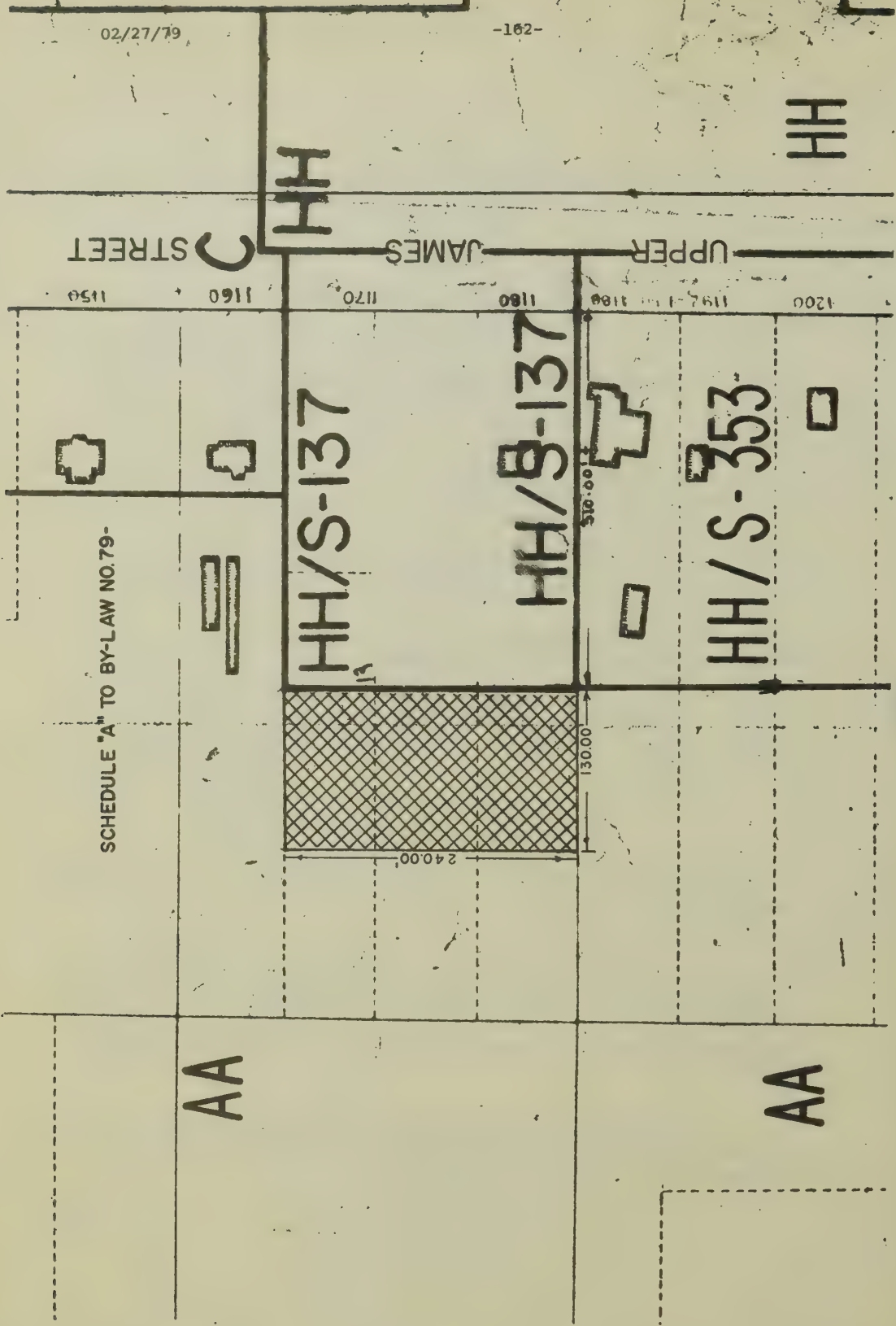
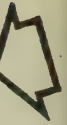

Mayor

(1979) 6 R.P.D.C. 2, February 13
Chambers Group Limited/First Pioneer
Investments Limited, Lessee
ZA 78-36



02/27/79

-162-



LEGEND

Lands on Part of Sheet No. W-9B of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District.

Bill No. 67

This is Schedule "A" to By-law No. 19-68 passed the 27th day of February, 1979

THE CORPORATION OF THE CITY OF HAMILTON

E.A. Simpson
City Clerk

John A. MacDonald
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 69

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE NORTH SIDE OF ANNA CAPRI DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49C of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

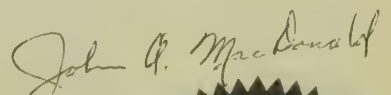
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

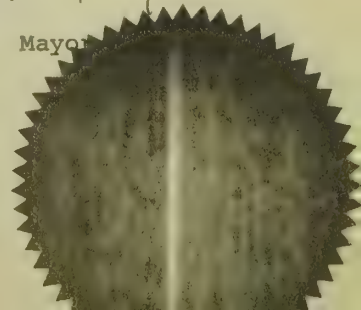
2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

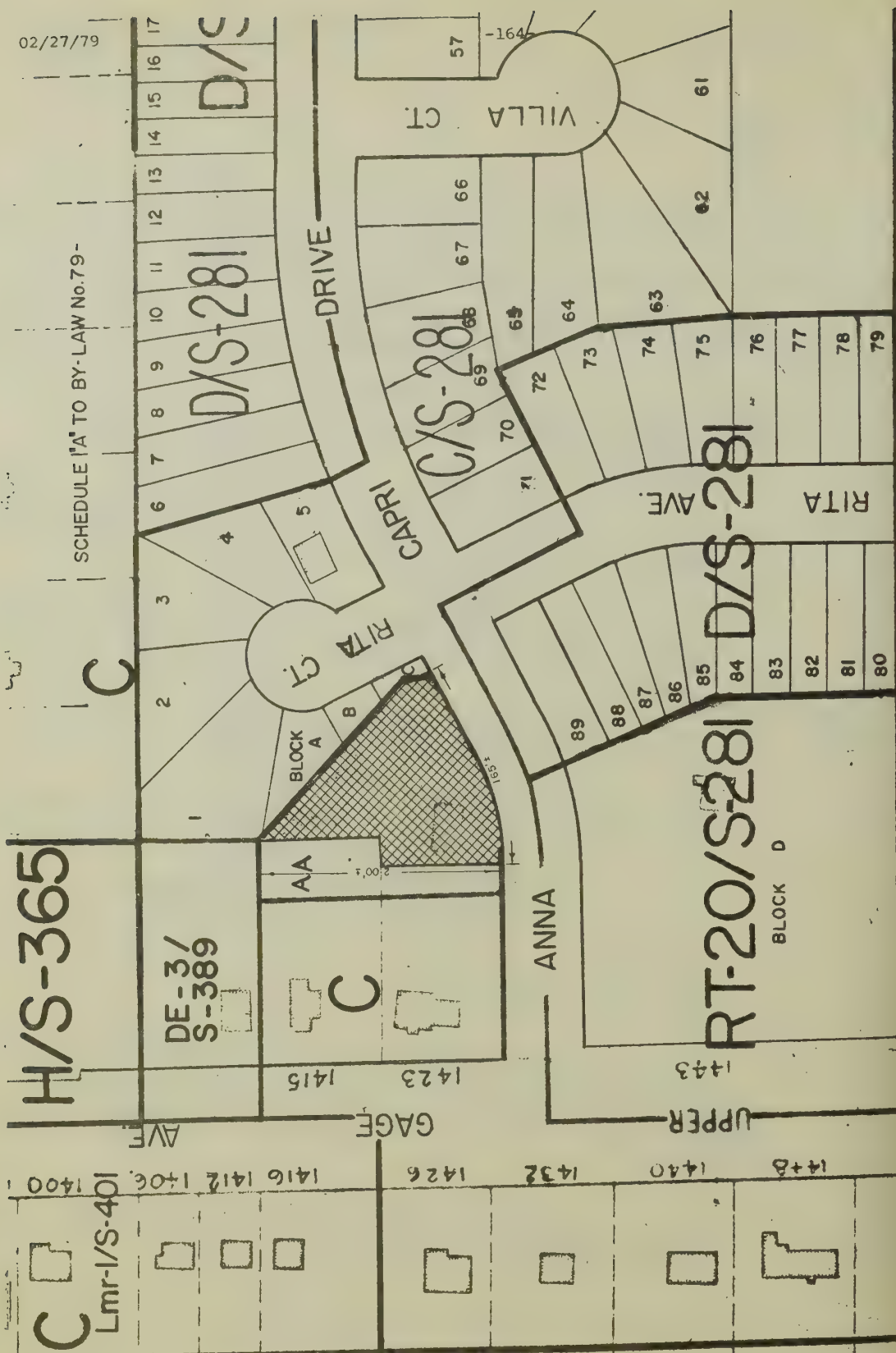
3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 27th day of February A.D. 1979.


City Clerk


Mayor





LEGEND

This is Schedule "A" to By-law No. 79-69 passed the 27th day of February,

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

John A. MacDonal
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 70

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF CENTENNIAL PARKWAY,
IN THE AREA SOUTH OF KING STREET EAST

WHEREAS it is intended to change the zoning of the
lands hereinafter referred to;

AND WHEREAS this by-law is in conformity with the
Official Plan of the Hamilton Planning Area, approved by the
Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the
City of Hamilton enacts as follows:

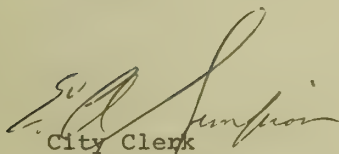
1. Sheet No. E-106 of the District Maps, appended to
and forming part of By-law No. 6593, passed on the 25th day
of July, 1950, is amended,
 - (a) by changing from "AA" (Agricultural) district
to "HH" (Restricted Community Shopping and
Commercial) district, the land comprised in
Block 1; and
 - (b) by changing from "RT-10" (Townhouse) district
to "G-3" (Public Parking Lots) district, the
land comprised in Block 2,

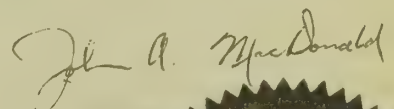
the extent and boundaries of each of which Blocks 1 and 2 are
shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to
proceed as soon as possible with the giving of notice of the
passing of this by-law, including a brief explanation of its
purpose, and with the carrying out of all other directions of
the Ontario Municipal Board relating to the giving of such
notice.

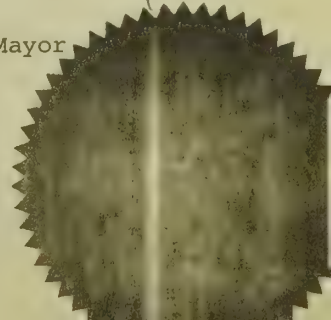
3. The City Solicitor is hereby authorized and directed
to make application to the Ontario Municipal Board for the
necessary approval of this by-law.

PASSED this 27th day of February A.D. 1979.


City Clerk

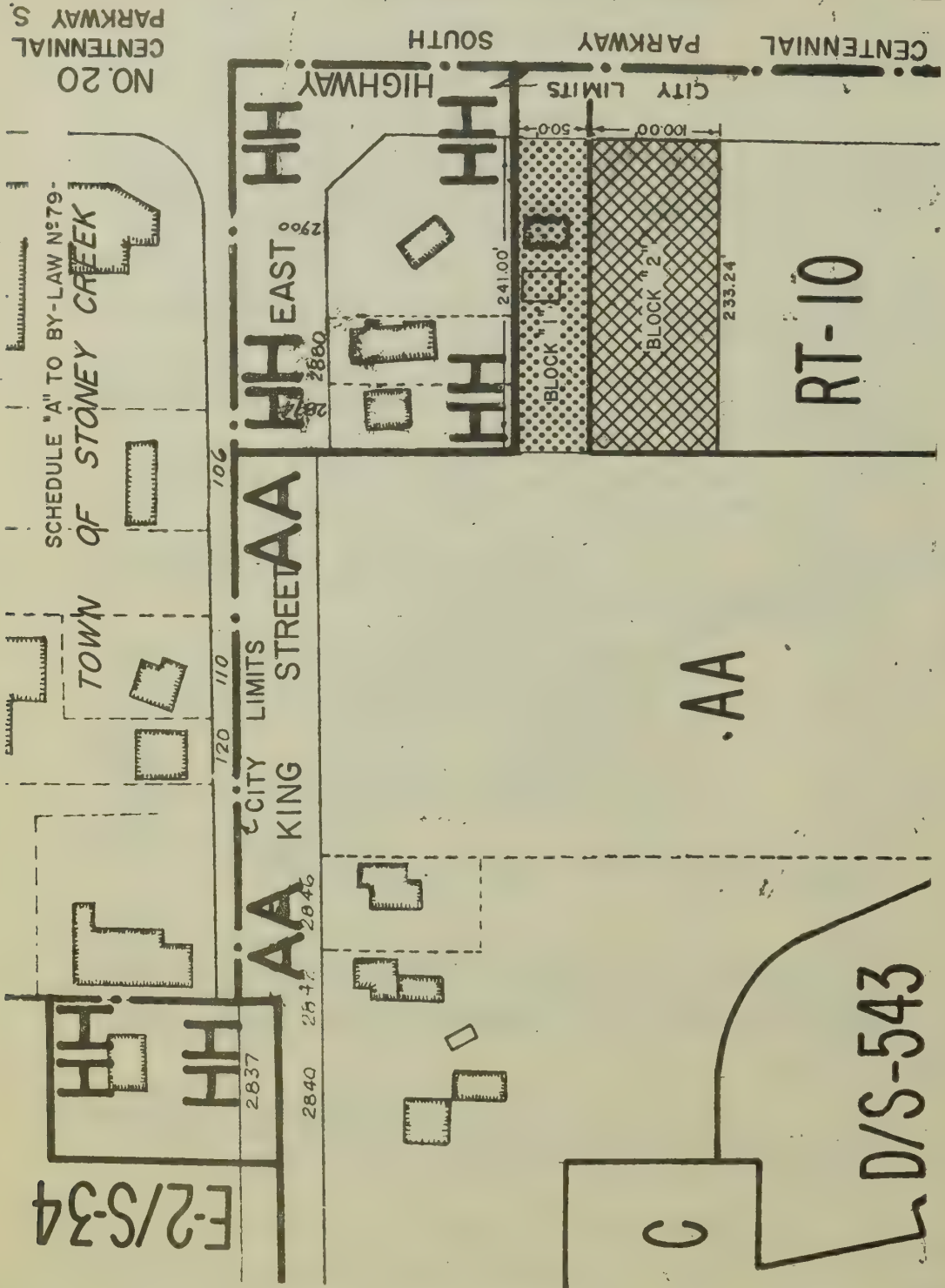

Mayor

(1979) 6 R.P.D.C. 4, February 13
Frank Quan, Prospective Owner
ZA 78-68





Scale: 1" = 100'



LEGEND

Lands on Part of Sheet No. E-106 of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District and "RT-10" (Townhouse) District. To:
"HH" (Community Shopping and Commercial) District.
"G-3" (Public Parking Lots) District.

Bill No. 69

This is Schedule "A" to By-law No. 79-70 passed the 27th day of February, 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON
[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 71

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF UPPER GAGE AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38B of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district and "C" (Urban Protected Residential, etc.) district and "RT-20" (Townhouse-Maisonette) district to "RT-10" (Townhouse) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "RT-10" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variance as a special requirement:

- 1. The use of the land for ingress to and for egress from Upper Gage Avenue is hereby prohibited.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "RT-10" District provisions,

subject to the special requirement referred to in section 2.

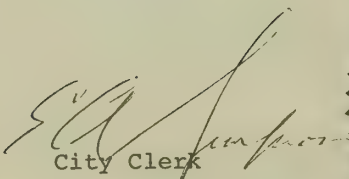
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-627".

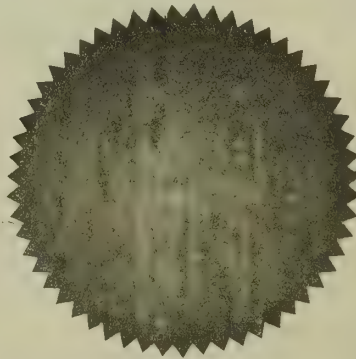
5. Sheet No. E-38B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-627".

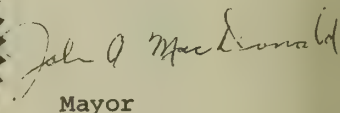
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

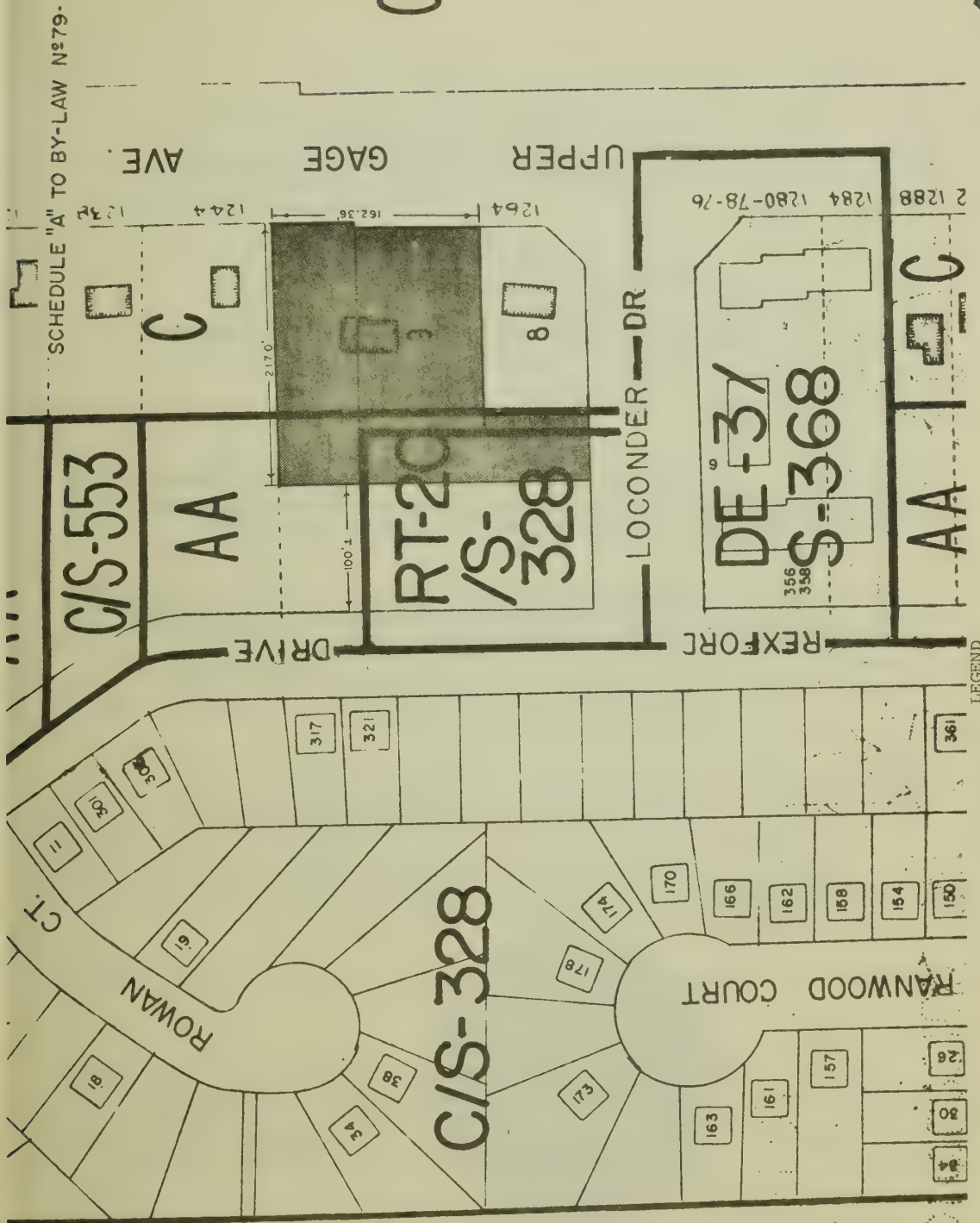
PASSED this 27th day of February A.D. 1979.


City Clerk




Mayor

(1979) 6 R.P.D.C. 1, February 13
Direction South Management Limited,
Prospective Owner and Owner
ZA 76-61



Lands on Part of Sheet No. E-38B of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District, "C" (Urban Protected Residential, etc.) District and "RT-20 (Townhouse - Maisonette) District to "RT-10" (Townhouse) District.

Bill No. 70

This is Schedule "A" to By-law No. 71 passed the 27th day of February, 1979

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 72

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON BRIGADOON DRIVE, FIONA CRESCENT
AND PIPER PLACE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions of By-law No. 6593, passed on the 25th day of July, 1950, applicable to the lands the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variances as special requirements:

1. Section 10(1)(iii) of By-law No. 6593 shall not apply.
2. Notwithstanding section 10(3)(ii) of By-law No. 6593, no side yard shall be required along one side of each lot, except that a minimum side yard of 4 feet shall be required for that side of a lot flanking a street.
3. Notwithstanding section 10(4)(i) of By-law No. 6593, a lot for a single family dwelling shall have within the district a width of at least 30 feet and an area of at least 3,000 square feet.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "D" District provisions,

subject to the special requirements referred to in section 1.

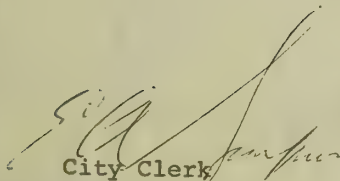
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-628".

4. Sheet No. W-17B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-628".

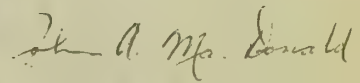
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 27th day of February A.D. 1979.


City Clerk

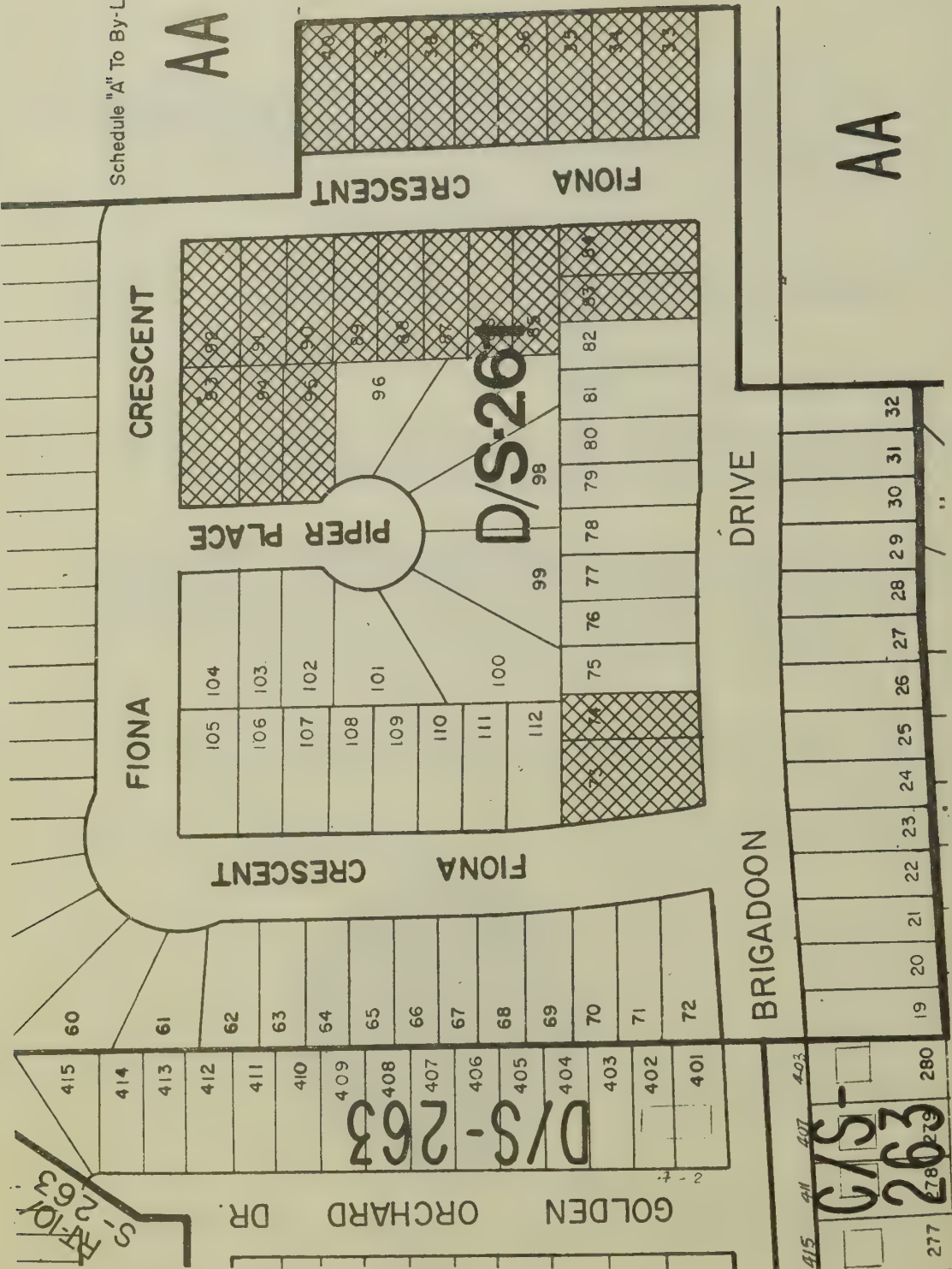



Mayor

Schedule "A" To By-Law No.79

AA

AA



LEGEND

Lands on Part of Sheet No. W-17B of The Zoning District Maps to be regulated by By-law No. 79-



Scale: 1"=100'



This is Schedule "A" to By-law No. 79-72 passed the 27th day of February, 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

Bill No. 71

BY-LAW NO. 79 - 73

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966, is hereby further amended by deleting therefrom the following item, namely:-

"Deerborn	Northbound and Southbound	Thorner",
-----------	---------------------------	-----------

and by adding thereto the following items, namely:-

"Grenoble	Northbound	Brigadoon
Adis	Eastbound	Guildwood
Green Cedar	Northbound	Guildwood
Amalfi	Northbound	Green Cedar
Broker Dr.	Eastbound and Westbound	Upper Kenilworth
Belvidere	Northbound and Southbound	Wycliffe".

2. Schedule 29 (No Stopping Areas) is hereby amended by deleting from Section A (No Stopping Anytime) the following item, namely:-

"Rebecca	North	Catharine to Mary",
----------	-------	---------------------

and by adding thereto the following items, namely:-

"Rebecca	North	Mary to 96 ft. westerly
Rebecca	North	From 153 ft. west of Mary to Catharine".

3. Schedule 30 (Commercial Loading Zones) is hereby amended by deleting therefrom the following items, namely:-

"Rebecca	North	39 ft.	96 ft. west of Mary	Anytime
Jackson	North	28 ft.	66 ft. east of Hess	Anytime".

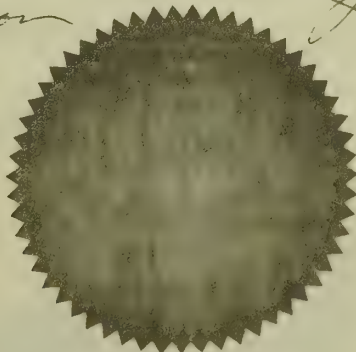
and by adding thereto the following item, namely:-

"Jackson	North	28 ft.	66 ft. east of Hess	8:00 AM - 6:00 PM".
----------	-------	--------	---------------------	------------------------

PASSED this 27th day of February, A.D. 1979.

E.A. Simpson
City Clerk

John A. MacDonald
Mayor



BY-LAW NO. 79 - 74

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 25A (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966, is hereby further amended by adding to Section 5 (One Hour Limit, 8:00 AM to 6:00 PM, Monday to Friday), the following item, namely:-

"Isabel	Both	Main to Queenston".
---------	------	---------------------

2. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following items, namely:-

"Emerald	East	From 412 ft. south of Main to 103 ft. southerly
Emerald	West	From 454 ft. south of Main to 38 ft. southerly",

and by adding thereto the following items, namely:-

"Queen Victoria	South and East	Quaker Cresc. to Queenslea Dr.
Mead Ave.	North	From 410 ft. east of Parkdale to 124 ft. easterly
Rebecca	North	From 96 ft. west of Mary to 57 ft. westerly
Robinson	North	From 102 ft. east of Caroline to 31 ft. easterly".

3. Schedule 26A (No Parking Areas) is hereby amended by adding to Section A (No Parking, 7:00 AM to 6:00 PM, Monday to Friday) the following item, namely:-

"Nelson	South	From 50 ft. west of Pearl to 210 ft. west of Pearl",
---------	-------	---

and by deleting from Section D (No Parking, 8:00 AM to 9:00 PM) the following item, namely:-

"Isabel	Both	End to End".
---------	------	--------------

4. Section 5 of By-law No. 66-100 is hereby amended by adding the following sub-section:-

"(7) No person shall,

- (a) drive a vehicle from a public highway onto a private driveway; or
- (b) drive a vehicle from a private driveway onto a public highway,

contrary to the direction of operation of the driveway clearly indicated by suitable signs."

PASSED this 27th day of February , A.D. 1979.

[Signature]
City Clerk

[Signature]
Mayor



BY-LAW NO. 79 - 75

TO ESTABLISH AND LAY OUT CLAPHAM ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or ³ part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to establish the highway known as "Clapham Road" at a width of 50 feet.

AND WHEREAS the lands required for such purpose are owned by The Corporation of the City of Hamilton.

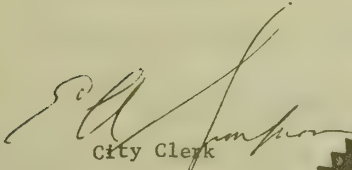
AND WHEREAS Section 450 of the said The Municipal Act requires that the Council may not lay out any highway less than 66 feet wide without the approval of the Minister of Housing.

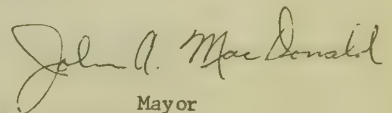
AND WHEREAS the Honourable Claude F. Bennett, the Minister of Housing has, by document dated March 20, 1978, (copy of which is attached hereto as Schedule "A"), granted approval to the laying out of Clapham Road as described herein.

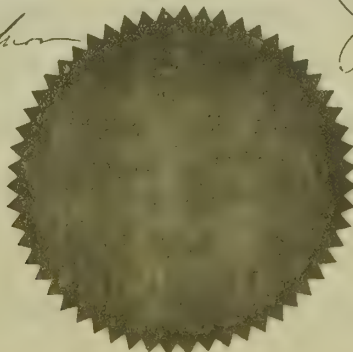
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "B" appended hereto are hereby established and laid out as public highway under the name "Clapham Road".
2. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 27th day of February A.D. 1979.


City Clerk


Mayor



02/27/79

-176-
Schedule "A"



Office of the
Minister

Ministry
of
Housing

APPROVAL IS HEREBY GIVEN UNDER SECTION 450
OF THE MUNICIPAL ACT TO THE LAYING OUT AS A PUBLIC
HIGHWAY OF THAT CERTAIN PARCEL OR TRACT OF LAND
AND PREMISES, TO BE KNOWN AS CLAPHAM ROAD, SITUATE,
LYING AND BEING IN THE CITY OF HAMILTON IN THE
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
(FORMERLY IN THE COUNTY OF WENTWORTH), PROVINCE OF
ONTARIO AND BEING COMPOSED OF PART OF LOT 28,
CONCESSION 3, TOWNSHIP OF SALTFLEET AND WHICH SAID
PARCEL MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:-

PREMISING THAT THE SOUTHERN LIMIT OF
QUEENSTON ROAD (KING'S HIGHWAY No. 8), AS SHOWN ON
A PLAN PREPARED BY THE DEPARTMENT OF HIGHWAYS,
ONTARIO AND DEPOSITED IN THE REGISTRY OFFICE FOR THE
REGISTRY DIVISION OF WENTWORTH (No. 62) AS No. 133
MISCELLANEOUS, HAS A BEARING OF NORTH 75° 03' 20"
WEST AND RELATING ALL BEARINGS HEREIN THERETO.

- 2 -

COMMENCING AT A POINT IN THE SAID SOUTHERN
LIMIT OF QUEENSTON ROAD DISTANT THEREIN NORTH
75° 03' 20" WEST, TWO HUNDRED AND EIGHTY-SIX POINT
FOUR TWO FEET (286.42') FROM THE EASTERN LIMIT OF
LOT 28.

THENCE SOUTH 16° 07' WEST, SEVENTY-FOUR
POINT SIX THREE FEET (74.63').

THENCE SOUTH 12° 54' WEST, SEVENTY POINT
NINE EIGHT FEET (70.98').

THENCE SOUTH 16° 07' WEST, SIX HUNDRED AND
ELEVEN POINT ONE FOUR FEET (611.14').

THENCE NORTH 73° 53' WEST, FIFTY POINT
ZERO FEET (50.0').

THENCE NORTH 16° 07' EAST, SIX HUNDRED AND
NINE POINT SEVEN FIVE FEET (609.75').

THENCE NORTH 12° 54' EAST, SEVENTY-ONE POINT
ZERO THREE FEET (71.03').

02/27/79

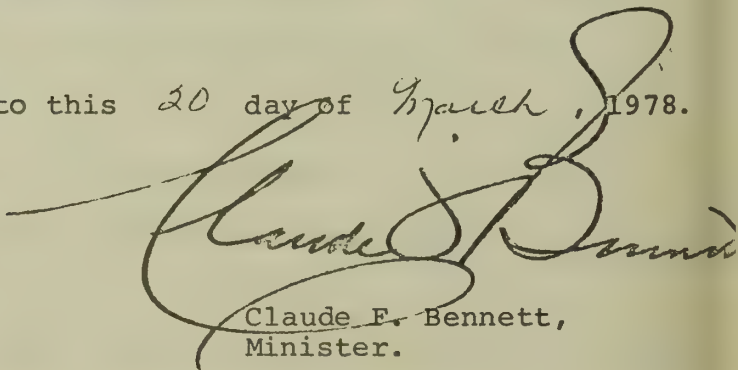
-178-

- 3 -

THENCE NORTH $16^{\circ} 07'$ EAST, SEVENTY-FIVE
POINT ZERO FEET (75.0') MORE OR LESS TO THE AFORESAID
SOUTHERN LIMIT OF QUEENSTON ROAD.

THENCE SOUTH $75^{\circ} 03' 20''$ EAST ALONG THE
SAID SOUTHERN LIMIT OF QUEENSTON ROAD, FIFTY POINT
ZERO FEET (50.0') MORE OR LESS TO THE POINT OF
COMMENCEMENT.

Dated at Toronto this 20 day of March, 1978.



Claude F. Bennett,
Minister.

SCHEDULE "B"

ALL and SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, County of Wentworth, Province of Ontario and being composed of part of Lot 28, Concession 3, Township of Saltfleet and which said parcel may be more particularly described as follows:-

PREMISING that the southern limit of Queenston Road (King's Highway No. 8), as shown on a plan prepared by the Department of Highways, Ontario and deposited in the Registry Office for the Registry Division of the County of Wentworth as No. 133 Miscellaneous, has a bearing of North $75^{\circ} 03' 20''$ West and relating all bearings herein thereto.

COMMENCING at a point in the said southern limit of Queenston Road distant therein North $75^{\circ} 03' 20''$ West, Two Hundred and Eighty-six point Four Two feet (286.42') from the eastern limit of Lot 28.

THENCE South $16^{\circ} 07'$ West, Seventy-four point Six Three feet (74.63').

THENCE South $12^{\circ} 54'$ West, Seventy point Nine Eight Feet (70.98').

THENCE South $16^{\circ} 07'$ West, Six Hundred and Eleven point One Four feet (611.14').

THENCE North $73^{\circ} 53'$ West, Fifty point Zero feet (50.0').

THENCE North $16^{\circ} 07'$ East, Six Hundred and Nine point Seven Five feet (609.75').

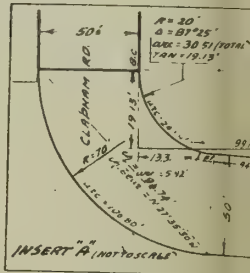
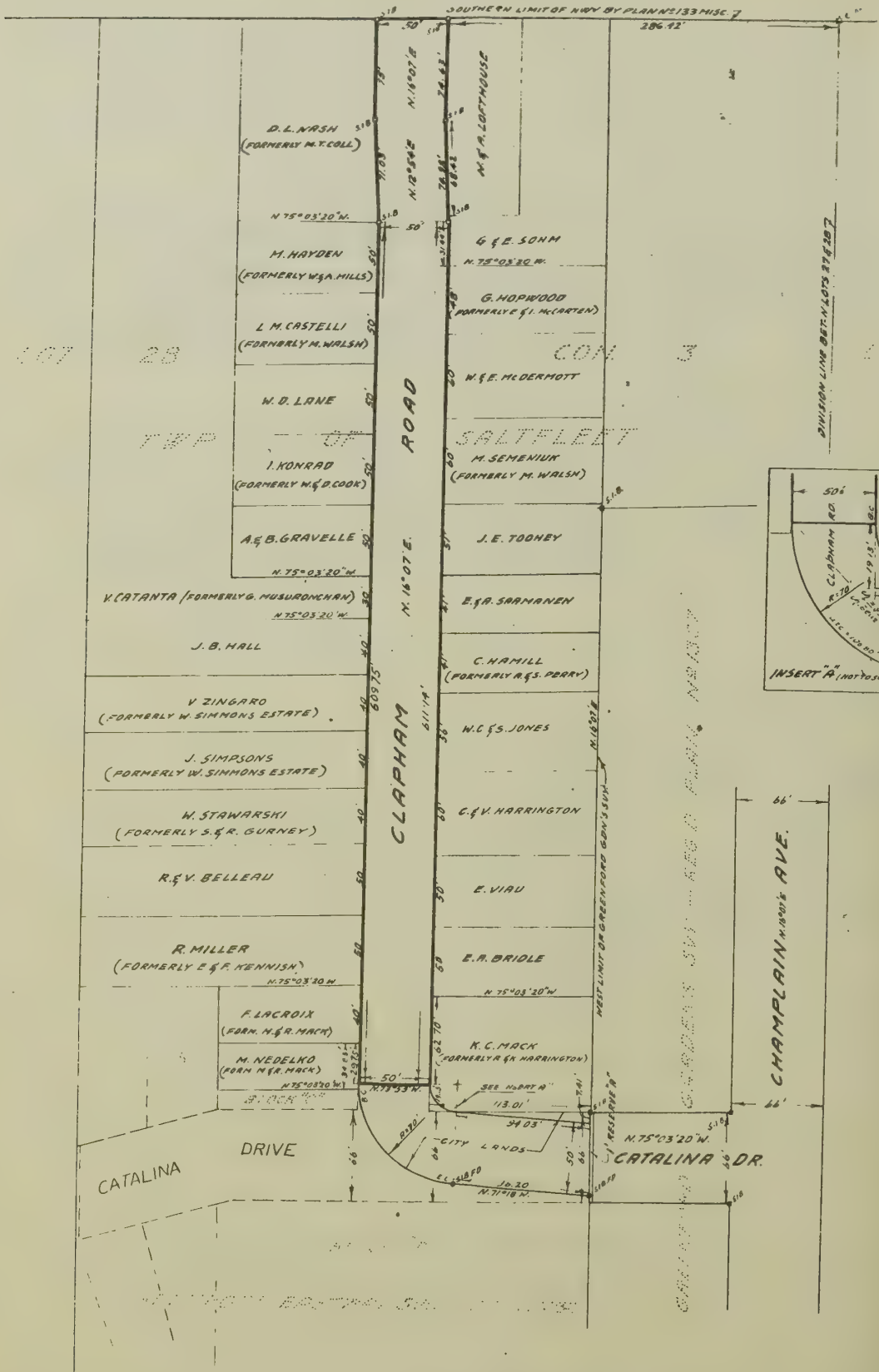
THENCE North $12^{\circ} 54'$ East, Seventy-one point Zero Three feet (71.03').

THENCE North $16^{\circ} 07'$ East, Seventy-five point Zero feet (75.0') more or less to the aforesaid southern limit of Queenston Road.

THENCE South $75^{\circ} 03' 20''$ East along the said southern limit of Queenston Road, Fifty point Zero feet (50.0') more or less to the point of commencement.

The above described parcel being shown in heavy outline on print of City Engineer's Plan No. S.S. 726 Surveys hereto attached.

QUEENSTON ROAD - HWY N28 (ROAD ALL BETN CONS 243)
N 75°03'20" W



LANDS OF J. J. JACKSON

REVISED JULY 9, 1970

STREET LIMITS SHOWN IN HEAVY OUTLINE

CITY OF HAMILTON-DEPARTMENT OF ENGINEERING LAND SURVEY

CLAPHAM ROAD - ESTABLISHING LIMITS BY BY-LAW

SURVEY BY COMP. FILE NO. 313-0003 FIELD BOOKS 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

DEP CITY ENG'R. APPROVED. J. J. JACKSON. PLAN N2133 HISC 7

APPROVED. J. J. JACKSON. PLAN N2133 HISC 7

APPROVED. J. J. JACKSON. PLAN N2133 HISC 7

APPROVED. J. J. JACKSON. PLAN N2133 HISC 7

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 76

To Repeal:

By-law No. 77-311

Respecting:

PART LOT CONTROL OF PART OF PLAN M-229 "BERRISFIELD MEADOWS"

WHEREAS By-law No. 77-311, passed on the 13th day of December, 1977, removed certain lots in the "Berrisfield Meadows" Registered Plan of Subdivision from Part Lot Control for the purpose of allowing registration of maintenance easements for zero lot line style homes;

AND WHEREAS all deeds subject to the maintenance easements have been registered so that it is appropriate to re-impose part lot control of the lands;

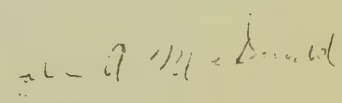
AND WHEREAS section 5 of section 29 of The Planning Act provides (inter alia) that By-law No. 77-311 may be repealed, and when the repealing by-law is registered in the proper land titles office in accordance with subsection 10 of the said section, part lot control applies in accordance with subsection 4 of the said section.

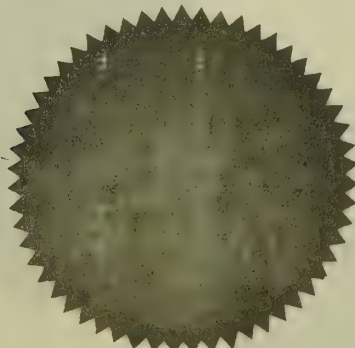
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 77-311, passed on the 13th day of December, 1977, is repealed.

PASSED this 27th day of February A.D. 1979.


City Clerk


Mayor



Bill No. 74

BY-LAW No. 79- 77

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 27TH DAY OF FEBRUARY, A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 27th day of February A.D., 1979.

City Clerk

Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 78

To Amend:

By-law No. 68-152

Respecting:

DESTRUCTION OF RECORDS OF THE CITY CLERK'S DEPARTMENT

WHEREAS By-law No. 68-152, passed on the 14th day of May, 1968, was enacted in accordance with S. 248b of The Municipal Act, R.S.O. 1960, now S. 249 of The Municipal Act, R.S.O. 1970, Chapter 284, authorizing the destruction of documents;

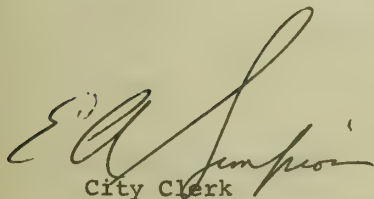
AND WHEREAS it is intended to amend By-law No. 68-152 by providing for the establishment of a schedule of retention periods during which various records of the City Clerk's Department may not be destroyed.

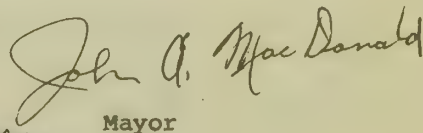
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 4 of By-law No. 68-152, as re-enacted by section 1 of By-law No. 68-351, is repealed and schedule 4 annexed to this By-law is substituted in lieu thereof.

2. This By-law comes into force on the day it receives approval by the auditor of The Corporation of the City of Hamilton.

PASSED this 13th day of March A.D. 1979.

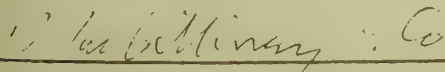

City Clerk


Mayor



Approved by MacGillivray & Co., the Auditor of The Corporation of the City of Hamilton, Municipal Licence #4562.

DATED at the City of Hamilton, this 13th day of March 1979.


MacGillivray & Co.

SCHEDULE 4

To By-law No. 79- 78

Respecting:

DESTRUCTION OF RECORDS OF THE CITY CLERK'S DEPARTMENT

<u>Description of Records</u>	<u>Period of Retention</u>
1. Contracts for buildings	20 years
2. Contracts other than contracts for buildings	7 years
3. General correspondence	3 years
4. Unaccepted tenders	2 years
5. Court of Revision appeals	5 years
6. County Judge appeals	5 years
7. Tax appeals	5 years
8. Expired licences	3 years
9. Licence applications	3 years
10. Marriage licence applications	3 years
11. Ad books	3 years
12. Nomination papers	6 years

BY-LAW NO. 79 - 79

TO WIDEN BRAMPTON STREET,
AT THE SOUTH-WEST CORNER OF KENORA AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

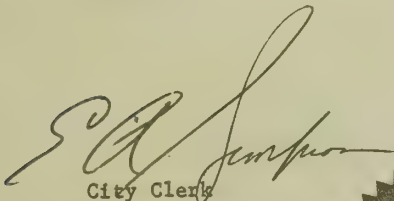
AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Brampton Street by incorporating within its limits the lands described in Schedule "A" hereto.

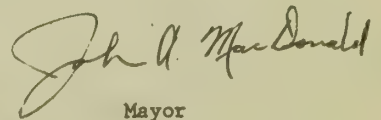
AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

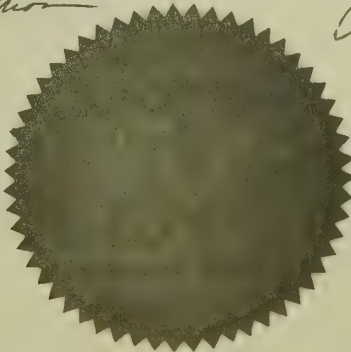
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Brampton Street.
2. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 13th day of March A.D. 1979.


City Clerk


Mayor



SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 28, Concession 1, Township of Saltfleet and which said parcel may be more particularly described as all of Part 6 according to a Reference Plan received and deposited in the Land Registry Office for the Registry Division of Wentworth as Plan 62R-2487.

-187-

03/13/79

RECEIVED AND DEPOSITED AS

PLAN 62R-2489

DATE July 23 1975

V. Maltug
LAND REGISTRAR FOR THE
REGISTRY DIVISION OF WENTWORTH
I REQUIRE THIS PLAN TO BE
DEPOSITED UNDER PART II
OF THE REGISTRY ACT
DATE JULY 18 1975

CAUTION THIS PLAN IS NOT A PLAN
OF SUBDIVISION WITHIN THE MEANING OF
SECTION 29, 32 or 33 OF THE Planning Act

PLAN SHOWING
**PART LOT 28
CONCESSION I**
TOWNSHIP OF SALTFLY
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY
OF
HAMILTON - WENTWORTH

H.B. ASHENHURST O.L.S.
SCALE 1" = 60'
1975

SURVEYOR'S CERTIFICATE

- I HEREBY CERTIFY THAT
- 1 THIS SURVEY AND PLAN ARE CORRECT
AND IN ACCORDANCE WITH THE Survey Act
AND THE Registry Act AND THE REGULATIONS
MADE THEREUNDER
- 2 THE SURVEY WAS COMPLETED ON THE
18th DAY OF JULY 1975

DATE: JULY 18 1975

H.B. Ashenhurst
H.B. ASHENHURST
ONTARIO LAND SURVEYOR
HAMILTON - ONTARIO
By-law 79-79

PLAN No SP-1047 SURVEYS

LEGEND

- A SIGN THUS  DENOTES A 1" Sq STANDARD IRON BAR
A SIGN THUS  DENOTES A 3/4" Dia ROUND IRON BAR
Fg - FOUND PI - PLANTED
ALL BEARINGS USED HEREON ARE ASSUMED ASTRONOMIC AND
ARE REFERRED TO THE SOUTH LIMIT OF BRAMPTON STREET
AS SHOWN ON PLAN 62R-199 WHICH HAS A BEARING OF
N 73° 20' W
ALL HANGING LINES HAVE BEEN VERIFIED

SCHEDULE

PAR	LOCATION	OWNER	INST. NO	AREA
1	LOT 28	DEWITT HEIGHTS	338743 AB	1.975 Ac
2	CONCESSION I			2.036 Ac
3				0.940 Ac
4	OWNERSHIP OF SALTFLY	DEVELOPMENT LIMITED		2.141 Ac
5				0.972 Ac
6				0.029 Ac

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 79- 80

TO AUTHORIZE THE EXECUTION OF MUNICIPAL (OR OPERATING) AGREEMENTS
WITH ONTARIO HOUSING CORPORATION

WHEREAS, pursuant to The Housing Development Act, R.S.O. 1970, Chapter 213, as amended, a municipality, with the approval of the Minister of Housing, may enter into an agreement with any person or governmental authority for sharing or contributing to the capital cost or the maintenance cost of a housing project;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to enter into agreements with Ontario Housing Corporation pursuant to the said The Housing Development Act for the construction, operation and maintenance of family and senior citizen housing accommodation in the said City of Hamilton;

AND WHEREAS Ontario Housing Corporation has agreed to provide the approximate numbers of housing units on lands in the City of Hamilton, under agreement, as follows:

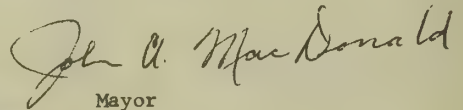
HAMILTON OH-53 - 169 Senior Citizen Units

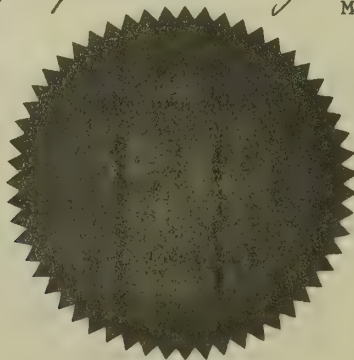
NOW THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

That the Mayor and the City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, the Operating Agreement with Ontario Housing Corporation mentioned above.

PASSED this 13th day of March A.D. 1979


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 81

To Amend:

By-law No. 78-94

Respecting:

MUNICIPAL WEED INSPECTORS

WHEREAS By-law No. 78-94, passed on the 28th day of March, 1978, under The Weed Control Act, R.S.O. 1970, Chapter 493, provided for the appointment of Municipal Weed Inspectors;

AND WHEREAS it is intended to appoint inspectors in replacement of previously appointed inspectors.

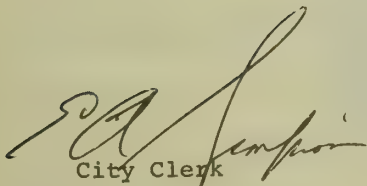
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

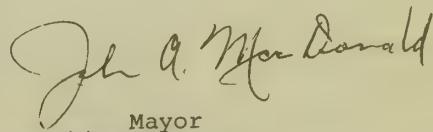
1. Section 2 of By-law No. 78-94 is hereby repealed and the following substituted in lieu thereof:

The following persons are hereby appointed Municipal Weed Inspectors to enforce The Weed Control Act in the City of Hamilton:

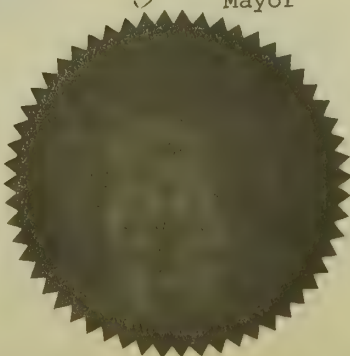
- | | |
|---------------|-----------------|
| 1. W. Adlam | 12. W. Hall |
| 2. C. Bailey | 13. R. Hands |
| 3. A. Boers | 14. G. Hitzroth |
| 4. J. Buzit | 15. R. Kettle |
| 5. J. Canary | 16. W. Lewis |
| 6. G. Cavael | 17. D. Lobo |
| 7. B. Court | 18. L. Manning |
| 8. D. Danby | 19. V. Melo |
| 9. R. Duguay | 20. C. Rogers |
| 10. A. Filice | 21. C. Smith |
| 11. J. Fuller | 22. O. Wilson |

PASSED this 13th day of March A.D. 1979.


City Clerk


Mayor

Letter dated February 27, 1979
from Director of Street Services



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 82

To Repeal:

Official Plan Amendments Nos. 278, 281 and 329

Respecting:

THE HAMILTON HARBOUR

WHEREAS Official Plan Amendment No. 278, approved by City Council on the 25th day of July, 1972 as Item 2(a) of the 11th Report of the Planning Board and adopted by By-law No. 72-268, passed on the 31st day of October, 1972, established "Industrial" and "Transitional" land use designations for the East Harbour as therein set out;

AND WHEREAS Official Plan Amendment No. 281, approved by City Council on the 10th day of October, 1972 as Item 1(a) of the 18th Report of the Planning Board and adopted by By-law No. 73-20, passed on the 16th day of January, 1973, established "Industrial", "Transitional" and "Open Water" land use designations for the West Harbour as therein set out;

AND WHEREAS Official Plan Amendment No. 329, approved by City Council on the 25th day of January, 1977 as Item 3 of the 1st Report of the Planning and Development Committee and adopted by By-law No. 77-64, passed on the 8th day of March, 1977, established a "Transitional" land use designation for the Waterfront lands bounded for the most part by Simcoe Street on the south, Hamilton Harbour on the west and north, and Bay Street and Nichol Street on the east as therein set out;

AND WHEREAS Official Plan Amendment No. 318, approved by City Council on the 30th day of January, 1979 as Item 1 of the 3rd Report of the Planning and Development Committee, established a comprehensive program and policy for the Hamilton Harbour and is intended to supersede Official Plan Amendments Nos. 278, 281 and 329;

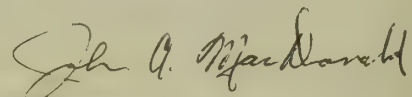
AND WHEREAS it is intended herein to repeal the said By-laws and to enact a separate By-law adopting Official Plan Amendment No. 318.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-laws Nos. 72-268, 73-20 and 77-64 are hereby repealed.

PASSED this 13th day of March A.D. 1979.


City Clerk


Mayor

(1979) 3 R.P.D.C. 1, January 30
Legal Files Nos. 40-4.31;
40-4.32;
40-4.78.



Bill No. 81

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 83

To Adopt:

Official Plan Amendment No. 318

Respecting:

THE HAMILTON HARBOUR

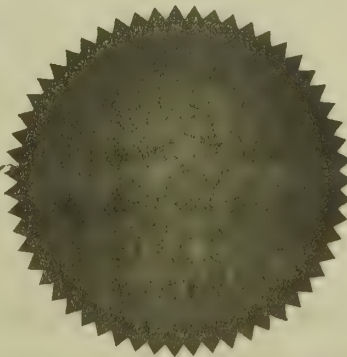
The Council of The Corporation of the City of Hamilton enacts as follows:

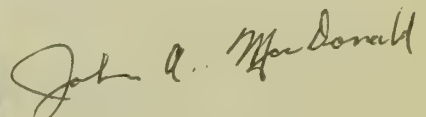
1. Amendment No. 318 to the Official Plan of the City of Hamilton Planning Area consisting of Schedule 1, hereto annexed, and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1, above, as may be requisite be obtained and for the doing of all things for the purpose thereof.

PASSED this 13th day of March A.D. 1979.


City Clerk




Mayor

HARBOUR OFFICIAL PLAN

AMENDMENT No. 318
TO THE OFFICIAL
PLAN OF THE CITY
OF HAMILTON PLANNING
AREA

SCHEDULE 1

To By-law No. 79 - 83

PREPARED FOR

THE CITY OF HAMILTON

BY THE

PLANNING AND DEVELOPMENT DEPARTMENT
OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
JANUARY, 1979

OFFICIAL PLAN FOR
HAMILTON HARBOUR

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SECTION ONE

BASIS OF THE AMENDMENT

A GENERAL STATEMENT ON THE PURPOSE,
LOCATION, BACKGROUND AND RATIONALE
OF THE AMENDMENT, WHICH, TOGETHER
WITH SECTION TWO AND THE SCHEDULES,
CONSTITUTE THE OFFICIAL PLAN FOR
THE HARBOUR AREA OF THE CITY OF HAMILTON.

BASIS OF THE AMENDMENT

1.1 PURPOSE

Since the Official Plan for the City of Hamilton was approved by the Minister on the 12th day of June, 1951, Hamilton Harbour and vicinity have been the subject of numerous Official Plan amendments. For the most part, these amendments have concerned themselves with relatively small scale developments that were intended to complement and serve those areas comprising or adjacent to that amended. Consequently the study area has evolved by installments, over a period of time that has been characterized by marked changes in the economy, environmental awareness and political climate. As well, certain of the amendments under discussion approved land use definitions that were incongruous with their counterparts throughout the remainder of the city.

1.1.1

Planning is an ongoing process, in which change is a constant; where problems continually arise and must be resolved; where community needs and demands change and have to be reconsidered periodically in relation to the available resources.

The purpose of this Official Plan Amendment then, is to provide a comprehensive development strategy that best utilizes the many natural advantages of Hamilton Harbour and establish meaningful guidelines for its future use as a community resource. To facilitate a more uniform approach, wherever feasible, this document employs those definitions of land use that are comprehensively applicable to the City of Hamilton planning area.

1.1.2

1.2 PROBLEMS

Hamilton Harbour is largely responsible for the success

Hamilton has enjoyed as a Great Lakes city. The process of developing the city, of building and rebuilding have inevitably brought changes to landscape and landform, profoundly affecting the harbour and its setting.

1.2.1

The various activities which have an impact on the harbour serve the needs of differing sectors of the community, and focus on different parts of the harbour resource. This section of the Amendment identifies some of the issues that will have to be resolved during the course of preparing the harbour Official Plan Amendment. In doing so an attempt is made to identify the community of interest affected by the activity, and the part of the harbour on which the activity would generally focus.

1.2.2

1.2.3

THE PORT

The Port, and metropolitan Hamilton, have grown in tandem. As the city centre consolidated, the obvious direction for port expansion was northward toward the deeper water of the harbour by means of reclamation and by constructing wharves. Changes in cargo handling techniques, however, have led to changed space and facility requirements, and proposals to accommodate this by further northward reclamation have met with opposition from a number of segments of community opinion. It now appears that proposals such as the 100 acre reclamation between Wellington and Hillyard Streets recommended in the Halton-Wentworth Waterfront Study are unacceptable.

1.2.3

As well as the extent of encroachment into the harbour, opposition to continued port expansion at the existing site points to the physical severance of the harbour from the remainder of the city (in terms of both visibility and accessibility) and to the

increasingly detrimental impact of the heavy traffic generated by the port and associated industry.

1.2.3

Furthermore, certain sectors of the present port are situated in that area of the harbour in which the water and air quality is most conducive to recreation, notably pleasure boating. Expansion, such as that recommended in the Halton-Wentworth Waterfront Study effectively reduces this area for pleasure boating (thus decreasing the harbour's carrying capacity for this increasingly popular pastime) while generating additional commercial shipping traffic. A land fill project at the scale envisaged would also inhibit the harbour's natural cleansing ability.

1.2.3(3

However, projections of trade through the port, are for continued growth, and the Harbour Commission's own assessment is that the capacity of the existing port has already been reached. Future alternatives then would appear to be:-

1. To seek increased efficiency of existing operations and optimum utilization of harbour lands.
2. To commence development of facilities at alternative locations where the Hamilton Harbour Commissioners own land. (The Bayside of the Beach Strip in Hamilton is the only undeveloped land with sufficient back-up space to warrant consideration for the purpose of this alternative.
3. To develop a port at some location outside of Hamilton Harbour as envisaged in the Commissioner's (Lake Ontario) Concept For Outer Harbour, December, 1974.
4. To accept a limit on Hamilton's capacity as dictated by the capability of the existing port.

1.2.3 (

The first of these should be accepted, in any case, as an objective for the existing port. The second would affect the economic future of East Hamilton and have some influence on the physical and social environment of the beach strip. The third alternative would require massive capital investment to develop the necessary facilities and landward access to them, and would have a profound effect on the total environment (social, physical and economic) of the selected

site. The fourth would require some assessment of the degree of interdependence of Hamilton's economic welfare, and port operations as well as the implications of promoting growth at other ports.

1.2.3 (5)

2.4 INDUSTRY

An examination of either a land use map or air photo of the harbour area conveys the extent to which industry dominates the waterfront. Hamilton has provided the steel industries with classic locational factors; access to raw materials including water, bulk and secondary transportation nodes, a skilled labour force and proximity to market. Numerous other industries have emerged as a spin off from this initial siting.

1.2.4 (1)

The growth of primary and secondary industry inevitably necessitated the extensive reclamation and oftentimes dredging that today accounts for the angular shoreline that protrudes into the southern harbour. The corresponding increase in waste products discharged by these industries has been on a vast scale, and only recently have been subjected to environmental controls. The resultant loss of access and the effect of poor water and air quality on other uses in the harbour have helped focus public awareness on Hamilton Harbour as an amenity, whose long term use stands to be seriously impeded without effective land use policies in the form of an Official Plan.

1.2.4 (2)

Industry's expansion and that of the City of Hamilton were synonymous for many years. This interdependence has, relatively speaking, waned markedly since the 60's, and is perhaps one of the factors accounting for the reduction in the city's population growth rate. Indications are that the principal catalyst for employment and population growth will come, not from the waterfront, but what is fast becoming the foremost employer in both the city and region - the service economy.

1.2.4 (3)

This development is of paramount importance in the evolution of Hamilton, and of major significance for those involved in shaping its future.

1.2.4 (4)

1.2.5 TRANSPORTATION

Many aspects of transportation are closely interwoven with port and industrial activities. Road and rail routes service both, forming an integral part of the overall movement of goods, from raw materials to finished products. 1.2.5

The convenient right-of-way afforded by the unique glacial deposits comprising the Hamilton and Burlington bars was soon employed for highway and rail location. Proposals centred on the relocation of the C.N. freight yard below Dundurn Castle, the removal of the C.N. line on the Beach Strip, and the reconstruction of the Q.E.W. as a tunnel under the Burlington Canal suggest a change in direction. It appears the emergence of a greater degree of concern about the harbour means the loss of harbour space or amenity is now valued more highly, and transportation advantages rated lower than was the case in past years. 1.2.5 (

The alternatives cited require a detailed cost benefit analysis, together with an assessment of their priority in an overall harbour program before a meaningful decision can be made. 1.2.5 (

1.2.6 HOUSING

The competitive demands associated with the growth of port facilities and industry are reflected in the high cost of waterfront land. Much of this growth has occurred adjacent to the older residential areas of the city, resulting in the decline of many residential enclaves. 1.2.6 (

As the residents of these areas are displaced for what amounts to primarily increased industrial land, provision must be made for assisting these people in their quest for another home unit that will meet their demands and finances. Other housing areas, further removed from the heavy industrial core exhibit sufficient vibrance to justify their being continued as such. These neighbourhoods nonetheless are often exposed to heavy truck traffic generated by the waterfront,

and less than compatible land use on their perimeter. Consequently they require planning considerations and effective zoning to promote their residential status.

1.2.6 (2)

Another notable land use conflict exists between the private and public use of the shoreline. Recent applications for high density residential development in the western harbour have been rejected, the basis for this decision being that housing is unable to demonstrate an operational need to occupy harbour space, together with the belief that private residences on the shoreline of what must be regarded as a public amenity, is not justifiable in light of the present limited public acreage adjoining the harbour.

1.2.6(3)

Residential development included in the Waterfront district is to be established after the Western Harbour has been made available to the public for Open Space purposes. Such development is considered to play a major supportive role in the success of this unique area, and will be required to contribute to a continuous public access system along the waterfront.

1.2.6(4)

Uses that demonstrate a waterfront location as being essential to providing a service that benefits the community at large will be given due consideration.

1.2.6(5)

1.2.7 RECREATION/OPEN SPACE

For some years Hamilton Harbour was shared by industry and recreation alike. An expansive industrial period signaled the decline of the harbour as a recreational resource, culminating with a by-law prohibiting bathing within its limits as early as 1924.

1.2.7(1)

The Vice-Commodore of the Royal Hamilton Yacht Club estimated that Hamilton Harbour experienced a 30% increase in the number of pleasure craft in 1975, which demonstrates that the harbour is increasingly being viewed as a recreational resource. Significant pressure for additional marina facilities, open space and public access is evident and must be viewed as having equal priority with other more established uses.

1.2.7(2)

1.2.8 WATER AND AIR QUALITY

Water - Hamilton's natural landlocked basis, although excellent for harbouring purposes, is conducive to very slow flushing action. Any reduction in the area or volume of water in the harbour further inhibits its natural cleansing ability. This characteristic becomes increasingly significant when one realizes the extent to which the harbour has been altered from its original form. (Map 1, Figures 3 and 4 in Appendix)

1.2.

At the same time, the industrial and domestic sewage load has been increased, most recently with Regional approval for doubling the effluent entering Cootes Paradise. This latest development places an additional strain on an already overtaxed natural process of the harbour.

1.2.

Air - air pollution remains an environmental concern in the Hamilton area. Its source is primarily suspended particulate from waterfront industry. The Industrial Abatement section of the Ministry of the Environment is presently supervising an air management programme that requires all companies to install the most practical technological controls for the reduction of this material. The success of the programme is dependent on the efficiency of the technology developed and as such it is expected that it will be 1980 before all of these companies are making use of the most feasible treatment.

1.2.

- 1.2.9 In such complex issues the planning process must enable these differing points of view to be expressed and evaluated, and a decision eventually made as to what interests should prevail. They serve to illustrate, however, the hierarchy of national, provincial, regional and local interests, and the interrelationship of land and water in providing for these activities.

SECTION TWO
P O L I C I E S

THE GOALS AND OBJECTIVES STATEMENTS,
THE SCHEDULES, THE DEFINITIONS, AND
STANDARDS COMPRISE THE POLICIES OF
THE AMENDMENT, WHICH, TOGETHER WITH
SECTION ONE AND THE SCHEDULES,
CONSTITUTE THE OFFICIAL PLAN FOR THE
HARBOUR AREA OF THE CITY OF HAMILTON.

GOALS AND OBJECTIVES FOR HAMILTON HARBOUR

2.1 Community Values and a Planning Goal

Hamilton Harbour is a finite resource - the increasing pressures on it cannot be catered for by enlarging the harbour, but only by using more effectively and intensively the opportunities it offers. This means that development and use of the harbour will have to be planned and managed with increasing care and skill. To some extent, this will entail the introduction and re-arrangement of uses based on functional merit rather than historical inertia. (Schedule A)

2.1

The plan is aimed both at providing for present needs, and also at safeguarding the interests of future generations. It recognizes that the harbour is valued by the people of Hamilton:

- i) as a commercial port;
- ii) as an essential base for industry;
- iii) as a major natural amenity which helps to determine the shape of the urban area;
- iv) as a visual amenity, contrasting with surrounding landforms;
- v) as a recreational amenity;
- vi) as a natural feature providing opportunities for scientific study and education; and,
- vii) as a continually renewed body of water which receives the surface drainage from surrounding land areas.

2.1.

2.2 GOAL 1

To provide a comprehensive development strategy that best utilizes the many natural advantages of Hamilton Harbour and establishes meaningful guidelines for its future use as a community resource.

OBJECTIVE 1

Define and delineate the most beneficial use for the lands and water comprising the harbour and harbour area.

2.2.

IMPLEMENTATION POLICY

Provide only those uses that are dependent on proximity to the harbour to fulfill local and regional needs with the required services.

2.2

Designate Piers 25, 26 and 27 as "Marine Transportation".

2.2

Designate all existing water areas in Hamilton Harbour to "Open Water", excluding the Windemere Basin

2.2

- Establish the Windemere Basin as an area subject to, and initiate, a detailed special study by the appropriate agencies and water-lot owners concerned, to determine the most appropriate designation of the Windemere Basin in the Official Plan. 2.2.1(4)
- Initiate a detailed investigation into the prospect of relocating the Canadian National Railway yard beneath Dundurn Castle to another suitable location. 2.2.1(5)
- Recognize that the results of the Residential Enclave Study determined the basis for the Restricted-Industrial land use designation. 2.2.1(6)
- Eliminate those residential enclaves that lack sufficient amenities to warrant their continuation in industrial areas as recommended in the Enclave Study. 2.2.1(7)
- Protect and promote those residential enclaves that exhibit characteristics indicative of a viable neighbourhood as recommended in the Enclave Study. 2.2.1(8)
- Establish a two-way communications channel that will continue to monitor those interests which require a harbour location for their welfare. 2.2.1(9)
- Encourage more intense and efficient use of the industrial lands associated with the waterfront. 2.2.1(10)
- It shall be the intent of Council that the use of any lands as may be created by further land fill from Pier 17 to the western side of Pier 23, and excluding the Windemere Basin, in existing open water areas exempted from Ontario Regulation 118/70, be for Industrial purposes as defined in this plan. 2.2.1(11)

OBJECTIVE II

- Provide effective buffering between incompatible uses. 2.2.2

IMPLEMENTATION POLICY

- Require buffering between incompatible uses for mediating zoning (e.g. Restricted Industry, Utility Corridor or Open Space zoning between Industry and Residential), increased yards, landscaping and like measures under Development Control which provide psychological relief or aesthetic appeal. 2.2.2(1)

OBJECTIVE III

- Preserve waterfront structures of historical or cultural significance. 2.2.3

IMPLEMENTATION POLICY

Acquire lands or establish protective policies to ensure the preservation of structures that reflect the harbour's past. 2.2.3

Allocate funds to support restoration where appropriate. 2.2.3

Encourage the senior levels of government to assist in the realization of this objective. 2.2.3

2.3 GOAL II

To provide a desirable environment for the Hamilton Planning area through the optimum use of its harbour and harbour lands.

OBJECTIVE I

Encourage and contribute to the upgrading of the water quality of Hamilton Harbour to a standard that is desirable for most water-oriented recreational activities. 2.3.1

IMPLEMENTATION POLICY

Establish a revised harbour headline by requiring that those water areas within the City limits of Hamilton, as shown on Schedule "A" to this amendment, remain as open water by prohibiting further land fill except for those purposes approved by the appropriate authority having jurisdiction, and after consultation with representatives of those public agencies and private interests concerned, or otherwise permitted. 2.3.1

Require that an analysis of the impacts on the environment be submitted for the deliberation of Council before any construction, or modification to the environment is permitted in areas designated as open space land use in the Official Plan

Such an analysis shall consist of:

- a) a description of the purpose of the undertaking;
- b) a description of and a statement of the rationale for,
 - i) the undertaking
 - ii) the alternative methods of carrying out the undertaking, and,
 - iii) the alternatives to the undertaking;
- c) a description of,
 - i) the environment that will be affected or that might reasonably be expected to be affected, directly or indirectly,

- ii) the effects that will be caused or that might reasonably be expected to be caused to the environment, and,
 - iii) the actions necessary or that may reasonably be expected to be necessary to prevent, change, mitigate or remedy the effects upon or the effects that might reasonably be expected upon the environment, by the undertaking, the alternative methods of carrying out the undertaking, and the alternatives to the undertaking; and,
- d) an evaluation of the advantages and disadvantages to the environment of the undertaking, the alternative methods of carrying out the undertaking, and the alternatives to the undertaking. 2.3.1(2)
- * The term "Environment" includes the human as well as the natural environment of the Hamilton Planning Area.

Require that all effluent disposed of into the harbour by industries, storm water, municipal sewage treatment plant effluent, and effluent from municipal sources be of sufficient quality to satisfy the minimum standards established by the Ministry of the Environment for recreational uses of the harbour, and ensure their enforcement. 2.3.1(3)

Allocate funds annually for a program of engineering works as may be necessary to minimize pollution and environmental impacts of effluent discharging into the harbour in the areas where the effects of these discharges are most prominent. 2.3.1(4)

Require the securing (by armour stone or suitable material) of land fill sites which are exposed to the erosional force of wind and wave action, together with suitable screening and landscaping. 2.3.1(5)

Encourage the senior levels of government to assist in the implementation of this objective. 2.3.1(6)

OBJECTIVE II

Encourage the continual upgrading of the air quality of the harbour area. 2.3.2

IMPLEMENTATION POLICY

Provide both the Industrial Abatement section of the Ministry of the Environment, and industry with any information, advice or other assistance as required. 2.3.2(1)

2.4 GOAL III

Provide adequate open space and recreational opportunities for the present and future needs of the people of Hamilton.

OBJECTIVE I

Maintain a balance of active and passive recreation in the areas designated as Open Space, Recreational & Institutional.

2.4.1

IMPLEMENTATION POLICY

Recognize recreation as a significant re-emerging use of the harbour.

2.4.

Establish or acquire the western harbour for predominantly open space and recreation purposes.

2.4.

Establish adequate marina facilities in an area with sufficient access, backup space, proximity to suitable waters, and which requires a minimum of landfill.

2.4.

Co-operate with the Hamilton Harbour Commissioners, Hamilton and Halton Region Conservation Authorities, Provincial Ministries, the City of Burlington and others, in their efforts to establish recreational facilities and a functional open space network and to establish the carrying capacity of the harbour for additional marina facilities.

2.4.

Encourage the senior levels of government to assist in the implementation of this objective.

2.4.1

OBJECTIVE II

Provide for adequate accessibility to the waterfront.

2.4

IMPLEMENTATION POLICY

Acquire or establish access corridors to points of interest.

2.4.

Encourage scenic easements for linear open space uses.

2.4.2

Initiate a public access program for the northern shore of the harbour where appropriate and feasible.

2.4.2

Encourage the senior levels of government to assist in the realization of this objective.

2.4.2

Encourage co-operation amongst the Hamilton Harbour Commissioners, private landowners and municipal protective services to ensure the provision and maintenance of adequate access to the harbour to facilitate effective emergency service.

2.4.2(5)

2.5

DEFINITIONS

The following definitions of land use are comprehensively applicable to the City of Hamilton Planning Area, and inherently the area covered by this amendment.

2.5.1

OPEN SPACE, RECREATIONAL AND INSTITUTIONAL

It is intended that the Open Space, Recreation and Institutional designation encompass those private and public undeveloped or developed lands whose use enriches the health, welfare and education of area residents, and enhances the general amenity of the municipality.

2.5.1(1)

Accordingly, this designation shall consist of such public and private uses as parks, hazard lands, unique natural areas, and watercourses; churches and cemeteries; utilities and related corridors; educational facilities, museums, hospitals and similar institutions, arenas, sportfields, stadia, golf courses, marinas, and community centres.

2.5.1(2)

Notwithstanding, to capitalize in the unique physical character of certain areas in the municipality, and/or to enhance the functional characteristics of certain Open Space, Recreation, and Institutional uses, the following provisions shall apply:

2.5.1(3)

In the case of the areas designated Open Space, Recreation and Institutional which may be identified as environmentally sensitive or exhibiting unique ecological and/or aesthetic attributes, it is intended that said areas be left undisturbed in their natural and undeveloped state and only where necessary be subject to engineering works to ensure their integrity is preserved for the enjoyment of future generations;

2.5.1(4)

In the case of the areas designated Open Space, Recreation and Institutional along the waterfront, it is intended that the permitted uses detailed in paragraphs 2.5.1(1) to 2.5.1(3) notwithstanding a mix of water-oriented activities

will be encouraged at appropriate locations from the Stuart Street marshalling yards to Pier 8, inclusive of marinas, related clubhouses, maintenance, repair and storage facilities; commercial uses such as but not limited to seafood restaurants, cafes, selected goods shops, or other small scale commercial uses that serve to architecturally enhance and encourage public attraction to the waterfront area; and,

2.5.1(3)

In the case of golf courses, arenas, stadia and like recreational facilities it is intended to permit limited commercial uses which support and are ancillary to the primary recreational use.

2.5.1(6)

2.5.2. OPEN WATER

The designation of areas as open water shall mean that the areas thus designated are to be left covered by waters and that said waters shall be restricted to boating, shipping and navigation. Such waters must comply with the minimum standards established by the Ministry of the Environment, and are not to be reclaimed or otherwise altered, except for those purposes agreed to by the appropriate authority having jurisdiction.

2.5.1(1)

2.5.3 RESIDENTIAL

The residential classification of land use shall mean that the predominant use of land in an area so designated shall be for dwellings.

2.5.3(1)

Various types of dwellings shall be permitted in a residential classification of land use, but similar types shall be located together, and there shall be no indiscriminate mixing of various types.

2.5.3(2)

Appropriate measures shall be taken to protect,

- a) low density residential development against high density residential development; and

2.5.3(3)

- b) all residential development against other development of uses that may infringe upon the amenities of the residential land use.

2.5.3(4)

Compatible Land Uses:

The residential classification of land use shall permit uses that are determined by Council to be compatible to dwellings, and shall include public parks, schools, churches and similar institutional uses.

2.5.3(5)

As well, compatible uses shall be those uses necessary in order to serve the day-to-day needs of the immediate residential area, subject to the provisions of sentences 2.5.3(14) to 2.5.3(19) 2.5.3(6)

Where compatible uses are permitted, in order to preserve the amenities of and for residential uses in the area, new developments shall provide increased yards, adequate off-street parking, landscaping, screening, buffering or like measures as determined by Council, and shall not provide outside storage or engage in any use of the land having a detrimental impact on the residential uses. 2.5.3(7)

The conversion of existing residential buildings located in high density residential areas in proximity to the downtown area, as determined by Council, may be permitted, in approved circumstances, for selective commercial uses such as financial offices, specialty stores, professional offices and restaurants as a means of preserving and utilizing older buildings no longer appropriate for residential use and of providing a specialty type of commercial service in proximity to the downtown area of the City. 2.5.3(8)

There is no obligation on Council to permit any compatible land use in a neighbourhood or in a residential area. 2.5.3(9)

Where Council permits a compatible land use the compatible land use shall be permitted only upon specific applications for rezoning. 2.5.3(10)

Incompatible Land Uses:

The residential land use classification shall not permit as compatible land uses,

- a) a commercial use or group of commercial uses exceeding .2 hectare (approximately one-half (1/2) acre) in area: 2.5.3(11)
- b) a gasoline service station; or 2.5.3(12)
- c) any industrial use. 2.5.3(13)

Restriction of Commercial Uses:

Preference shall be given, subject to the provisions of sentences 2.5.3(5) to 2.5.3(10) above, to small groups of shops in suitable locations so as to prevent the scatter of commercial uses. 2.5.3(14)

Individual retail or service stores and commercial uses in apartment buildings sufficient only to serve the occupants thereof may be permitted without amendment to the Official Plan.

2.5.3(15)

Any neighbourhood commercial use shall be permitted only on specific application for rezoning if it is deemed by Council to be a compatible land use.

2.5.3(16)

Existing individual retail stores or other commercial uses within an area designated as residential that, in the opinion of Council, are compatible land uses, may be zoned for commercial use in the zoning by-law.

2.5.3(17)

Existing stores and commercial uses in residential areas that are determined by Council as not being compatible land uses shall be,

a) deemed conclusively to be a non-conforming use and shall remain zoned "residential," or

2.5.3(18)

b) zoned "residential".

2.5.3(19)

Restriction of Medium and High Density Residential Development and Redevelopment:

Prior to permitting medium and high density residential development prior to or upon rezoning applications, Council shall consider the following:

a) Residential Classification of land use policies set out in sentences 2.5.3(3) and 2.5.3(4); and

2.5.3(20)

b) Adequacy of neighbourhood facilities, including schools, parks, churches, libraries, educational facilities, recreation facilities, police and fire protection and municipal services, having regard to the anticipated population density of the neighbourhood; and

2.5.3(21)

c) Protection of existing development and protection of development proposed in the neighbourhood plan or otherwise anticipated, by the provision of and for appropriate landscaping, buffering, siting of buildings and structures, height control, and other such measures as Council may determine.

2.5.3(22)

Restriction on Public Utilities, Etc.:

Public utilities and similar installations, constructions, buildings or structures or parts thereof shall be installed, constructed, designed or otherwise dealt with, where possible, as to be in keeping with the general character of the surrounding buildings and structures, by the requirement and control of landscaping, screening, buffering, siting of buildings and structures, height control and such other measures as the City may determine.

2.5.3(2)

2.5.4 COMMERCIAL

The Commercial classification of land shall mean that the predominant use of lands so designated shall be for commerce which is defined as the buying and selling of goods and services, and offices.

2.5.4(1)

The classification need not prevent some of the land being used for other purposes provided that these purposes are compatible to commerce and will not unduly detract, hinder or prevent the areas from being used for proper commercial development, and provided that precautions are taken by imposing standards on how the land may be used by these other purposes to protect the areas for commerce. This exception to permit other uses of land does not include any industrial undertaking. In permitting a rezoning for commercial development upon lands abutting a residential area, consideration will be given to requiring buffering between the two uses by increased yards, landscaping, planting and like measures, and in addition will, wherever possible, control parking, storage and loading so as to minimize the interference with the adjoining lands.

2.5.4(2)

In addition, residential uses will be permitted in commercial areas in the form of apartments, either free-standing or forming part of a commercial complex. In general, the majority of such apartment buildings will contain small suites, (i.e., bachelor and one-bedroom). The location of such residential uses will be carefully reviewed with respect to surrounding uses and density, and further control of such development will be implemented by rezoning and site plan control.

2.5.4(3)

2.5.5 TRANSPORTATION

The designation of lands as Transportation shall mean that lands so designated shall be used for transportation nodes, harbour facilities for shipping and navigation, terminals, freight and passenger handling facilities and related storage, vessel and barge docks, marinas, railways, roads, pipelines, warehousing and parking areas for port-related uses only.

2.5.5(1)

2.5.6 MARINE TRANSPORTATION

The Marine Transportation classification of land shall mean that the predominant use of land in the area so designated shall be for a mix of:

- i) Transportation corridors and nodes;
- ii) Port works and shipping terminals;
- iii) Marine freight and passenger handling facilities and related storage, vessel and barge docks; and,
- iv) Marine related industry and commerce that demonstrate a current and future operational need for proximity and access to the harbour.

2.5.6(1)

2.5.7 INDUSTRIAL

The Industrial classification shall mean that the predominant use of the land in the areas so designated shall be for industry, which is defined as including manufacturing, constructing, extracting and processing of raw materials and goods, repairing and servicing operations, and warehousing and storage of goods. Provision for appropriate off-street parking and loading shall be required by all new industrial establishments.

2.5.7(1)

In permitting by rezoning industrial development upon lands abutting a residential area, consideration will be given to requiring buffering between the two by increased yards, landscaping, planting and like measures, and in addition will, wherever possible, control parking, storage, loading and lighting so as to minimize the interference with the enjoyment of the residentially zoned land.

2.5.7(2)

Commercial and recreational uses grouped where practicable shall also be permitted in an industrial area provided that such uses are primarily warranted in serving the needs of the industrial area or otherwise can locate without detracting from, or hindering, sound industrial development, and provided that such uses have sufficient parking, buffering, nuisance control and appropriate siting so as to be compatible with the surrounding uses.

2.5.7(3)

2.5.8 RESTRICTED INDUSTRIAL

The Restricted Industrial classification of land shall mean that the ultimate use of land in the areas so designated shall be for non-noxious industry which is defined as such manufacturing and processing of goods, such repair workshops and such storage of goods, and such transportation facilities which experience has shown to be unobjectionable to adjacent land uses because they are free of dust, odour, fumes, and noise. This classification need not prevent some of the land being used for other non-industrial uses, provided that the location of these other uses in a manufacturing area is warranted and will primarily serve the industries in the area and not those uses of land within another classification, and that these other uses will in no way contribute to the detracting of the area for sound industrial development, so that the interests of industry are paramount. It will be the policy of the municipality to permit such non-industrial uses only on the basis of industrial amendments to the zoning by-law so that each proposal may be judged on its own merits and to ensure that the requirements outlined above will be met.

2.5.8(1)

This classification also need not prevent the establishment of a holding zone in the whole or in a part of the area designated Restricted Industrial upon Schedules A and B of the Official Plan Amendment.

2.5.8(2)

2.6 LAND USE DESIGNATIONS

A composite of the land use designations for the Harbour area are delineated in Schedule "B".

2.6.1

2.7 INTERPRETATION

The provisions of the Official Plan as amended from time to time respecting the interpretation of that plan shall apply with respect to this amendment.

2.7.1

It is intended that this amendment express the principles and policy which will govern harbour related land use within the City of Hamilton, and while it is the most comprehensive statement of policy possible at this time, it is not to be assumed that changes will not be made to any of these principles and policy during the passage of time and after consideration by the authorities concerned. To this end, it is considered that the Plan should be comprehensively reviewed every five years in the light of development which has taken place hereunder and any changes in the pattern or demand or in the economy or otherwise.

2.7.2

The boundaries between the classes of land use designated in Schedules A and B are intended to be only general and not to define the exact limits of any land use.

2.7.3

It is intended, therefore, that adjustments may be made in respect of these boundaries in zoning by-laws without the necessity of further amending the Official Plan so long as such by-laws conform to the general intent and purpose of this amendment.

2.7.4

It is further intended that any zoning by-law relating to this Official Plan contain an express exemption for uses related to shipping and navigation.

2.7.5

SCHEDULE A TO AMENDMENT NO 318
THE OFFICIAL PLAN OF THE CITY
OF HAMILTON PLANNING AREA

LEGEND

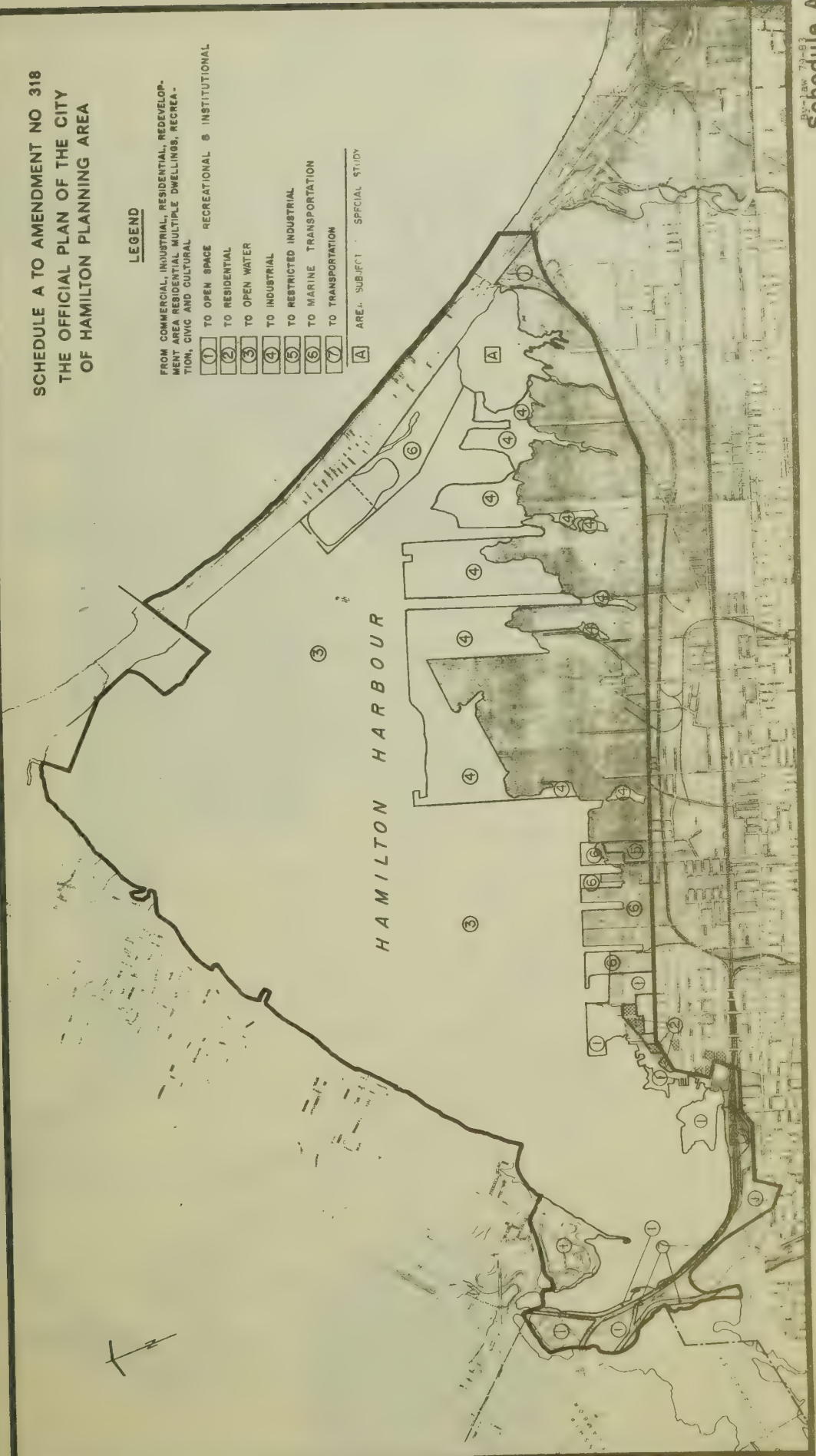
FROM COMMERCIAL, INDUSTRIAL, RESIDENTIAL, REDEVELOPMENT AREA
RESIDENTIAL MULTIPLE DWELLINGS, RECREATION, CIVIC AND CULTURAL

- | | | |
|---|--------------------------|------------------------------|
| ① | TO OPEN SPACE | RECREATIONAL & INSTITUTIONAL |
| ② | TO RESIDENTIAL | |
| ③ | TO OPEN WATER | |
| ④ | TO INDUSTRIAL | |
| ⑤ | TO RESTRICTED INDUSTRIAL | |
| ⑥ | TO MARINE TRANSPORTATION | |
| ⑦ | TO TRANSPORTATION | |

AREA SUBJECT SPECIAL STUDY

HAMILTON HARBOUR

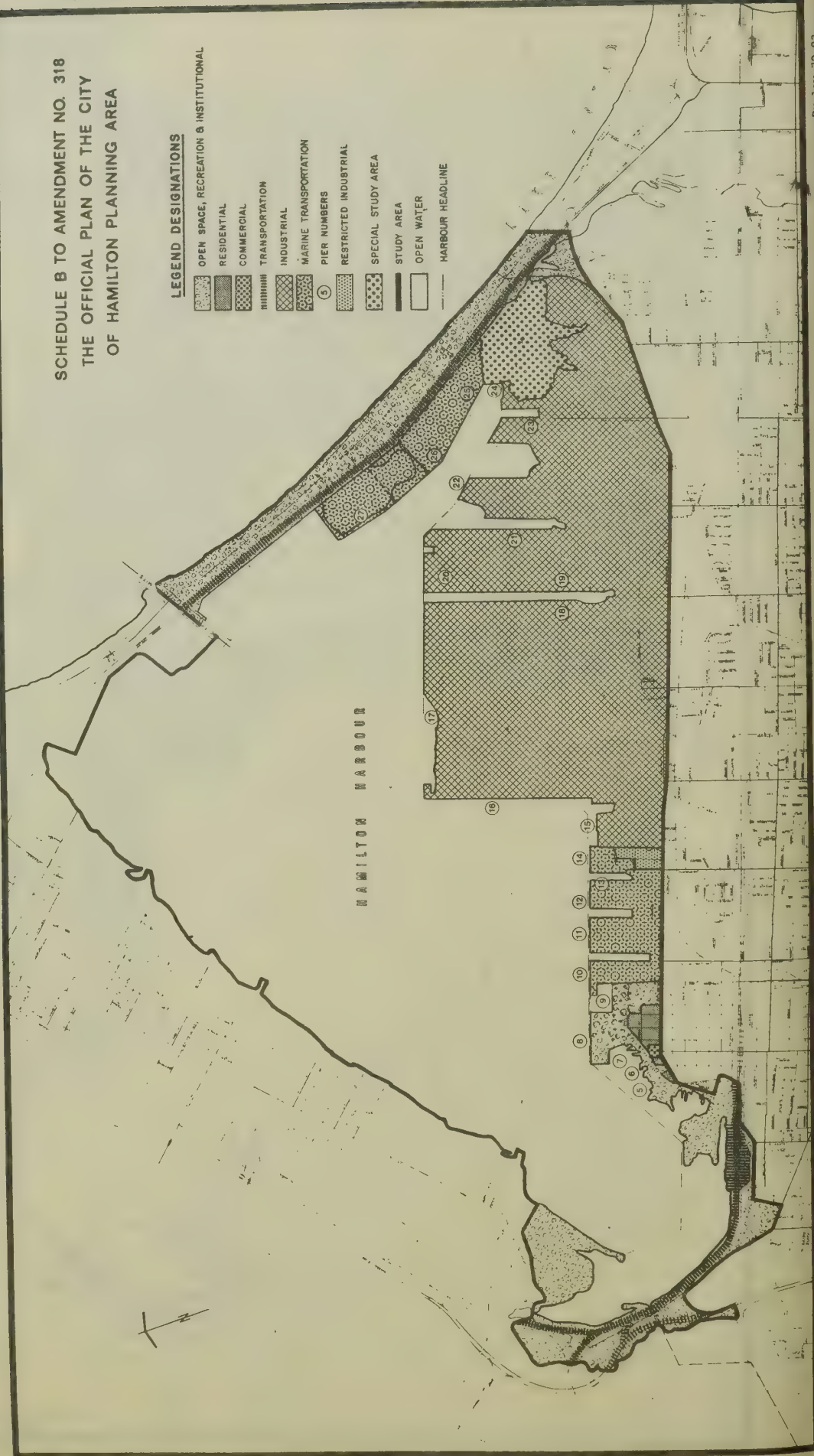
BY-LAW 79-87
Schedule A



**SCHEDULE B TO AMENDMENT NO. 318
THE OFFICIAL PLAN OF THE CITY
OF HAMILTON PLANNING AREA**

LEGEND DESIGNATIONS

-  OPEN SPACE, RECREATION & INSTITUTIONAL
-  RESIDENTIAL
-  COMMERCIAL
-  TRANSPORTATION
-  INDUSTRIAL
-  MARINE TRANSPORTATION
-  PIER NUMBERS
-  RESTRICTED INDUSTRIAL
-  SPECIAL STUDY AREA
-  STUDY AREA
-  OPEN WATER
-  HARBOUR HEADLINE



BY-LAW NO. 79 - 84

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 23 (Hamilton Street Railway Bus Stops) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966, is hereby amended by deleting from the Westbound and Northbound Column of the Parkdale Extension Table the following item, namely:-

"Mount Albion opposite Golfcrest",

and by substituting therefor the following item, namely:-

"Mount Albion, 125 ft. north of Golfcrest".

2. Schedule 26 (No Parking Areas) is hereby amended;

(a) by deleting from Section A (No Parking Anytime) the following item, namely:-

"Forsythe Pl.	Both	Forsythe to easterly end",
---------------	------	----------------------------

and by substituting therefor the following items, namely:-

"Forsythe Pl.	North	Forsythe to 118 ft. easterly
Forsythe Pl.	North	From 138 ft. east of Forsythe to
		the easterly end
Forsythe Pl.	South	Forsythe to easterly end",

and by adding thereto the following items, namely:-

"Herkimer	North	Kent to 48 ft. west
Herkimer	South	Kent to 46 ft. west
Frid	West	From 209 ft. south of Main to
		33 ft. southerly
Frid	East	From the northerly limit of the
		easterly leg of Frid to 60 ft.
		northerly".

(b) by adding to Section B (Loading Zones) the following items, namely:-

"Mulberry	South	38 ft.	25 ft. east of	7:00 AM-
			MacNab	6:00 PM
Ashley	West	64 ft.	32 ft. south of	Anytime".
			Cannon	

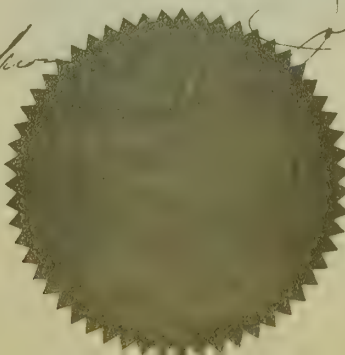
3. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following items, namely:-

"Forsythe Pl.	North	From 118 ft. east of Forsythe to
		20 ft. easterly
Hunter	North	From 55 ft. east of West Ave. to
		easterly dead end".

PASSED this 13th day of March, A.D. 1979.

CITY CLERK

MAYOR



BY-LAW NO. 79 - 85

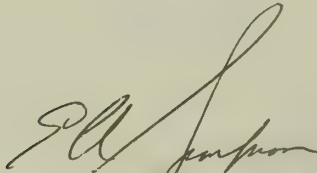
To Amend By-law No. 66-100 To Regulate Traffic

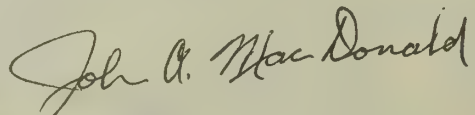
The Council of the Corporation of the City of Hamilton enacts as follows:-

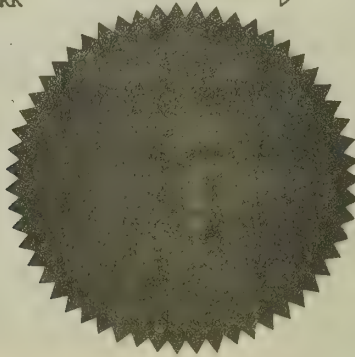
1. Schedule 16 (No Left Turn at Certain Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966, is hereby further amended by deleting therefrom the following item, namely:-

"Locke Southerly York Anytime".

PASSED this 13th day of March , A.D. 1979.


CITY CLERK


MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 86

To Authorize:

HEARINGS BY COMMITTEES OF COUNCIL

WHEREAS section 242b of The Municipal Act, R.S.O. 1970, Chapter 284, as enacted by section 14 of The Municipal Amendment Act, 1978, S.O. 1978, Chapter 32, authorizes hearings by committees in lieu of hearings required by law to be held by the council of a municipality;

AND WHEREAS it is desirable to designate the committees of the council of the City of Hamilton that shall hear interested parties or to afford them an opportunity to be heard before doing any act in place and stead of council.

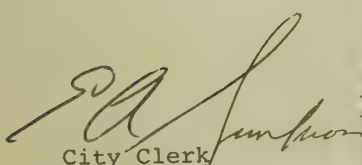
AND WHEREAS upon the committee making a report to council and after considering the report of the committee, the council may thereupon in respect of such application, pass any by-law or make any decision that it might have done, passed, or made if it had conducted the hearing itself.

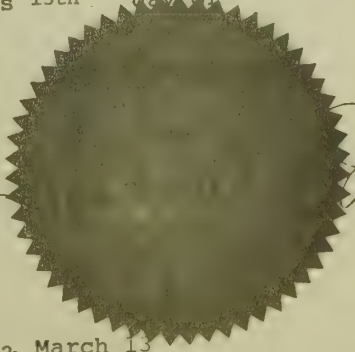
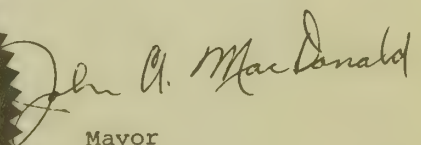
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,
 - (a) "city" means the City of Hamilton;
 - (b) "committee" means a committee of council;
 - (c) "council" means the council of the city.
2. It is hereby provided that every committee named in schedule "A" to this by-law shall hear interested parties or afford them an opportunity to be heard in place and stead of council.

PASSED this 13th day of March

A.D. 1979.


City Clerk



Mayor

(1979) 3 R.L.F.C. 12, March 13

SCHEDULE "A"

To By-law No. 79- 86

1. Airport Committee.
2. Legislation and Fire Committee.
3. Hamilton Municipal Retirement Fund Committee.
4. Planning and Development Committee.
5. Pollution Control Committee.
6. Traffic and Engineering Committee.

The Municipal Act, R.S.O. 1970, Chapter 284, as amended by section 14 of The Municipal Amendment Act, 1978, S.O. 1978, Chapter 32:

242b (1)where a hearing is conducted or an opportunity to be heard is afforded by a committee under such a by-law in respect of any matter, the council may do the act, pass the by-law, or make the decision in respect of which the hearing was held or the opportunity for a hearing afforded without being required to hold a hearing or afford an opportunity for a hearing in respect of such matter.

(3) After considering the report of the committee, the council may thereupon in respect of such application do any act, pass any by-law or make any decision that it might have done, passed or made had it conducted the hearing itself.

Bill No. 85

BY-LAW No. 79- 87

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 13TH DAY OF MARCH A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

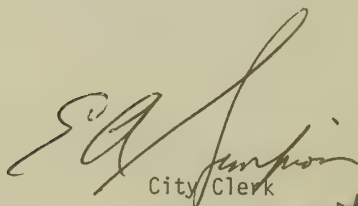
AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

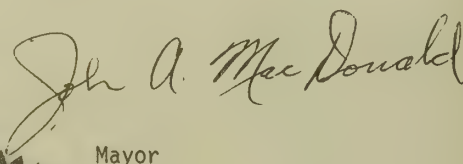
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

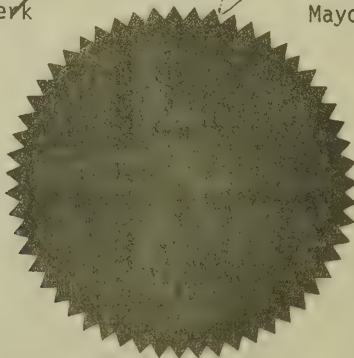
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 13th day of March A.D., 1979.


City Clerk


Mayor



Bill No. 86

BY-LAW No. 79-88

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE 21ST DAY OF MARCH A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of
the Revised Statutes of Ontario, 1970, the powers of a municipal corp-
oration are to be exercised by its Council;

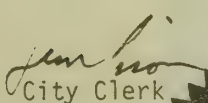
AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act,
being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers
of every Council are to be exercised by by-law;

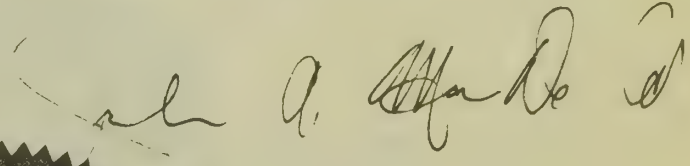
AND WHEREAS it is deemed expedient that the proceedings of the
Council of The Corporation of the City of Hamilton at this meeting be
confirmed and adopted by by-law.

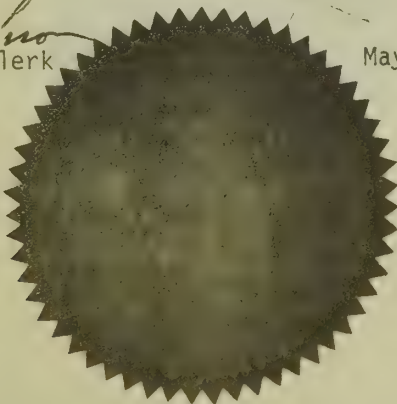
NOW THEREFORE the Council of The Corporation of the City of Hamilton
enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton
in respect to each recommendation contained in the Report/Reports of the
Board of Control and in the Reports of the Committees and of the local
Boards and Commissions and each motion and resolution passed and other
action taken by the Council of The Corporation of the City of Hamilton at
this meeting is hereby adopted and confirmed as if all such proceedings
were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of
Hamilton are hereby authorized and directed to do all things necessary
to give effect to the action of the Council of The Corporation of the City
of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the
Board of Control and the City Clerk, or in the absence of the City Clerk,
the Deputy City Clerk, are authorized and directed to execute all documents
necessary in that behalf and to affix thereto the seal of The Corporation of
the City of Hamilton.

PASSED this 21st day of March A.D., 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 89

TO CHANGE THE NAMES OF DOLPHIN DRIVE
AND GARDEN AVENUE TO GARDEN CRESCENT

WHEREAS paragraph 97 of subsection 1 of section 354 of The Municipal Act, as amended by the Statutes of Ontario, 1976, chapter 69, section 10 and re-enacted by subsection 2 of section 4 of The Municipal Amendment Act, 1978, (Bill 195), provides that the council of a municipality may pass by-laws for changing names of highways;

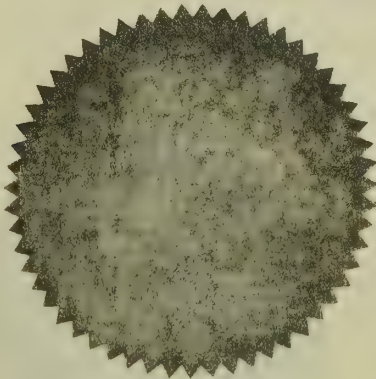
AND WHEREAS notice of this by-law was published in The Spectator once a week for four successive weeks prior to the passing of this by-law, in accordance with the said Act.

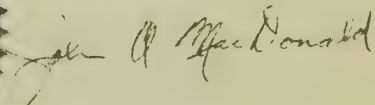
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The names of the streets municipally known as Dolphin Drive and Garden Avenue, located in the Mohawk Gardens Plan of Subdivision, Phase II, are hereby changed to Garden Crescent.

PASSED this 27th day of March A.D. 1979.


City Clerk




Mayor

BY-LAW NO. 79 - 90
TO EXTEND LAWNVIEW DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to extend a portion of the highway known as Lawnview Drive by incorporating within its limits the lands described in Schedule "A" hereto.

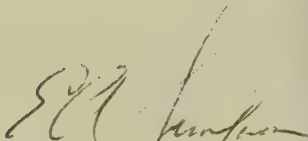
AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

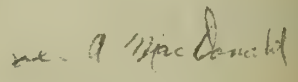
1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Lawnview Drive.
2. The City Engineer or his duly authorized agent is hereby authorized to open up as public highway the said lands.
3. By-law No. 77-117 is hereby repealed.

PASSED this 27th day of March

A.D. 1979


City Clerk




Mayor

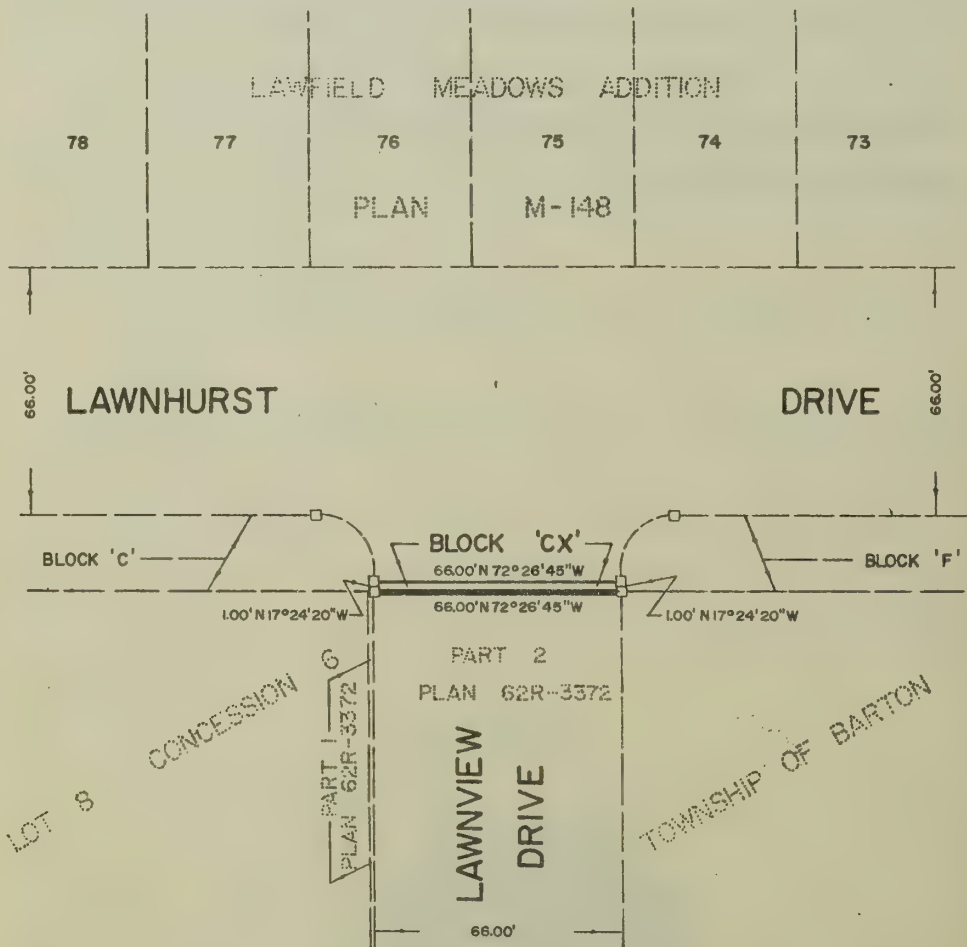
SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Block "CX" according to Lawfield³Meadows Addition filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-148.

The above described parcel shown in heavy outline on Plan No. N.S. 2277 Surveys hereto attached.

FORM S.P. 8

SKETCH TO ILLUSTRATE DESCRIPTION OF
 BLOCK 'CX' - 1' RESERVE
 LAWFIELD MEADOWS ADDITION
 PLAN M-148
 IN THE
 CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
 SCALE: 1" = 40'



BEARINGS HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE
 SOUTH LIMIT OF LAWNHURST DRIVE ON A COURSE N 72° 26' 45" W
 AS SHOWN ON PLAN M-148.

CITY OF HAMILTON
 DEPARTMENT OF ENGINEERING - LAND SURVEYS

LAWNVIEW DRIVE - INCORPORATING BLOCK 'CX' - 1' RESERVE INTO THE STREET.

SURVEY BY: COMP	FIELD BOOK:	FILE No.: 839-0001	DATE: JANUARY 1977
DRAWN BY: RICK	REF. DWG'S: P-937, SS-1387	CHECKED BY: H.S.	

APPROVED

CITY ENGINEER & MGR. OF WATER WORKS

CITY SURVEYOR *D. Hamilton* O.L.S.

PLAN No. NS-2277 SURVEYS

BY-LAW NO. 79 - 91

TO LEASE A PORTION OF STERLING STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 to lease any stopped-up highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton by passing By-law No. 68-212 on the 30th day of July, 1968, stopped-up the part of the highway described herein and other lands and the said by-law was duly registered in the Land Registry Office for the Registry Division of Wentworth as Instrument No. 100190 A.B.;

AND WHEREAS it is deemed expedient to lease the portion of highway described herein;

AND WHEREAS Notice of this by-law has been published as required by section 446 of the said The Municipal Act;

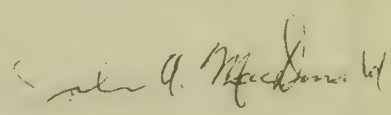
AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Board of Control, has heard all persons who applied to be heard, no matter whether in objection to, or in support of this by-law.

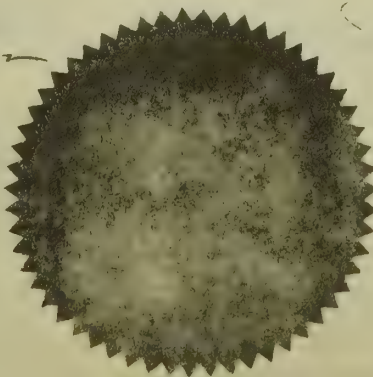
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. McMaster University may lease the portion of highway described in Schedule "A" for a period of 3 years at a rental of \$10.00 per annum commencing on April 1, 1979, provided that McMaster University agrees not to erect any building on the said highway, and subject to an easement or easements for the continued use, maintenance, placement, construction and installation of present and future municipal services and public utilities.

PASSED this 27th day of March A.D. 1979.


City Clerk


Mayor



SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of the Gore of the Township of Ancaster, formerly known as Sterling Street and closed by City of Hamilton By-law No. 68-212 dated July 30, 1968 and registered in the Land Registry Office for the Registry Division of Wentworth as Instrument No. 100190 A.B., and which said parcel may be more particularly described as follows:

Premising all bearings herein are referred to the southern limit of Sterling Street according to Forest Hills, registered in the said land Registry Office as Plan No. 685, on a course of North $85^{\circ} 17'$ West.

Commencing at a point in the southern limit of Sterling Street as established by City of Hamilton By-law No. 73-311 dated November 27th, 1973 and registered in the said Land Registry Office as Instrument No. 317751 A.B., distant therein South $88^{\circ} 05' 15''$ West Twenty point zero feet (20.0') from the western limit of Forsyth Avenue.

Thence South $88^{\circ} 05' 15''$ West Six Hundred and ninety-nine point one nine feet (699.19').

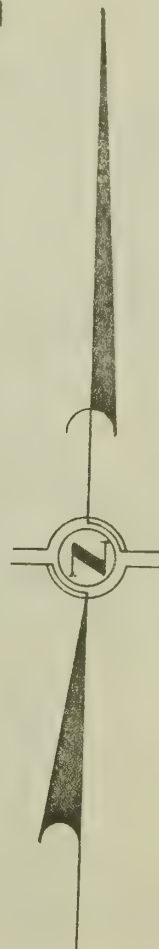
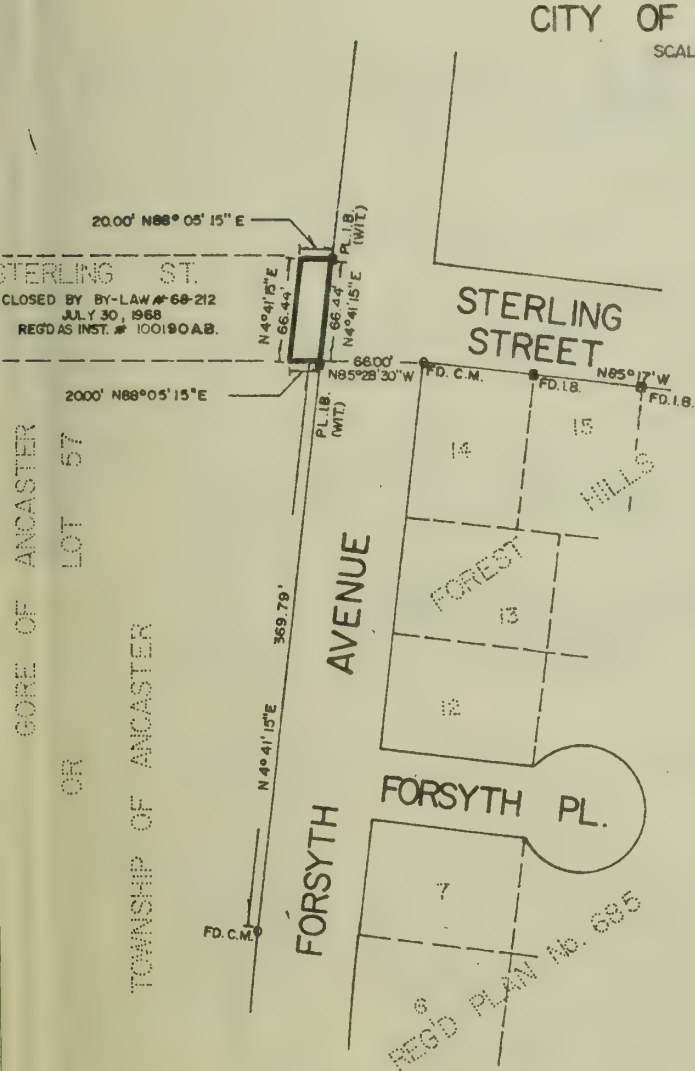
Thence North $01^{\circ} 44' 15''$ West Sixty-six point zero feet (66.0').

Thence North $88^{\circ} 05' 15''$ East Seven Hundred and six point six zero feet (706.60').

Thence South $04^{\circ} 41' 15''$ West Sixty-six point four four feet (66.44') more or less to the point of commencement.

FORM S.P. 8

PLAN SHOWING
PART OF THE GORE OF ANCASTER OR LOT 57
TOWNSHIP OF ANCASTER
IN THE
CITY OF HAMILTON
SCALE, 1" = 100'



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER;
2. THIS SURVEY WAS COMPLETED ON THE 25th DAY OF OCTOBER, 1973.

NOTE: BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTH LIMIT OF STERLING ST. ON A COURSE OF N85°17'W AS SHOWN ON REGISTERED PLAN No. 685.

66.30.1973 DATE *D.A. Harrington*
D.A. HARRINGTON O.S.

ESTABLISHED BY BY-LAW # 73-311
NOV. 27, 1973; REG'D AS INST. No. 317751 A.B.

CITY OF HAMILTON
DEPARTMENT OF ENGINEERING - LAND SURVEYS

STERLING STREET - TO BE OPENED WEST OF FORSYTH AVENUE

SURVEY BY D.J. SIMMS C.S.T.	FIELD BOOK BLK 1-295	FILE No. 821-0001	DATE OCT. 23, 1973
DRAWN BY B.A.	REF. DWG'S SS-691, SS-173		CHECKED BY H.M.S.

APPROVED

CITY ENGINEER & MGR. OF WATER WORKS

CITY SURVEYOR *D.A. Harrington* O.S.

PLAN No. NS-2185 SURVEYS

Bill No. 90

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 92

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 797 BARTON STREET EAST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions of By-law No. 6593, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variances as special requirements:

1. The land may be used as a banquet hall.
2. Parking spaces at the ratio of one parking space per six persons lawfully accommodated, shall be provided and maintained on the land.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "H" District provisions,

subject to the special requirements referred to in section 1.

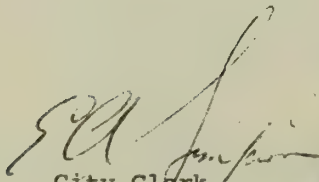
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-631".

4. Sheet No. E-32 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-631".

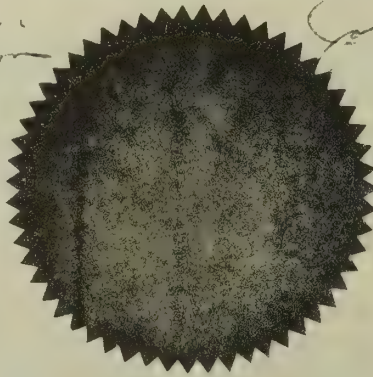
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

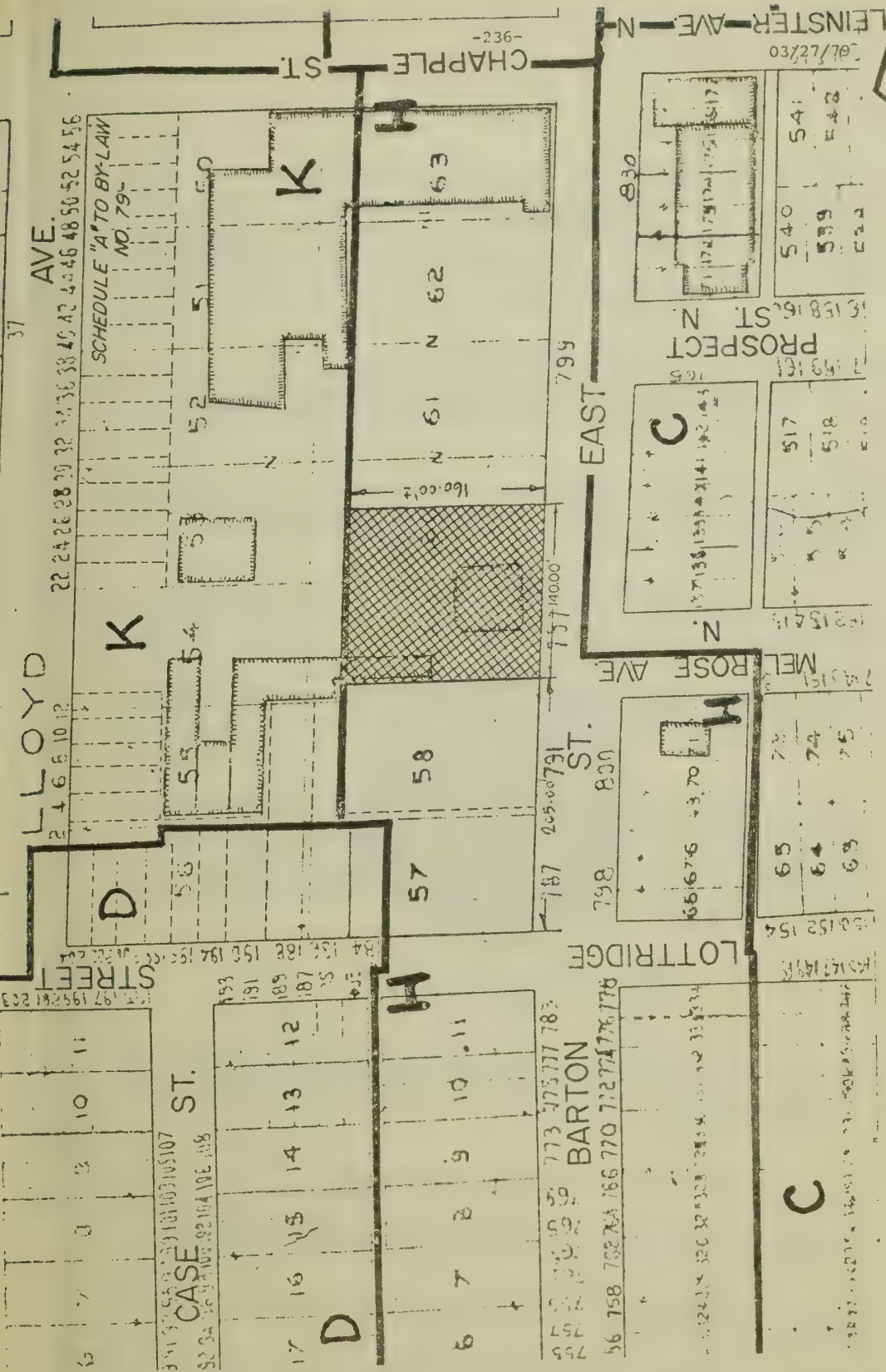
PASSED this 27th day of March A.D. 1979.


City Clerk


Mayor



(1979) 8 R.P.D.C. 4, February 27
David Walker and Wayne Schaefer, Lessees
Z.A. 79-05



Scale: 1" = 100'

LEGEND

Lands on Part of Sheet No. E-32 of The Zoning District Maps to be regulated by By-law No. 79-92



Bill No. 90

This is Schedule "A" to By-law No. 79-92 passed the 27th day of March, 1979

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 93

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE SOUTH SIDE OF MAIN STREET EAST,
BETWEEN SHERMAN AVENUE SOUTH AND BLAKE STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions of By-law No. 6593, passed on the 25th day of July, 1950, applicable to the lands the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. Section 14(3)(i) of By-law No. 6593, shall not apply.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "H" District provisions,

subject to the special requirement referred to in section 1.

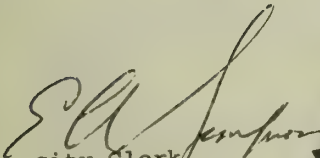
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-633".

4. Sheet No. E-33 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-633".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

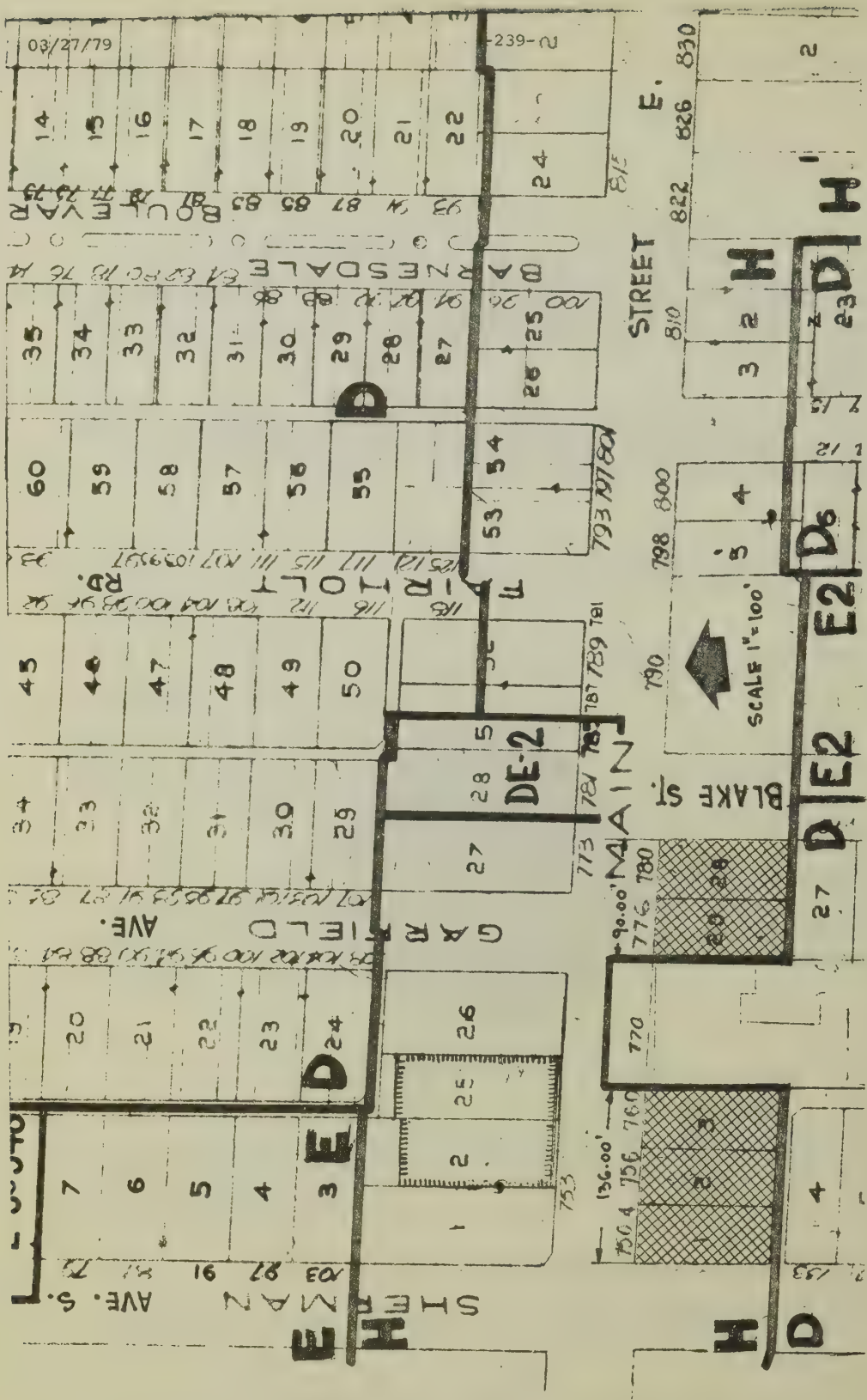
PASSED this 27th day of March A.D. 1979.


City Clerk




Mayor

(1979) 11 R.P.D.C. 5, March 13
City Initiative 79-G



LEGEND



Lands on part of Sheet No. E-33 of the Zoning District Maps to be regulated by By-law No. 79-93

Bill No. 91

This is Schedule "A" to By-law No. 79-93 passed the 27th day of March, 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 94

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF NEBO ROAD,
IN THE AREA SOUTH OF HEMPSTEAD DRIVE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-14" (Prestige Industrial) district provisions of By-law No. 6593, applicable to the lands the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variances as special requirements:

1. The land may be used for an industrial use that is a meat products plant.
2. Notwithstanding paragraph 1, the land shall not be used for a meat products plant unless the operation of the plant is controlled and regulated by, and subject to, the provisions of The Meat Inspection Act, R.S.C. 1970, Chapter 7-7, and Regulations thereto.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "M-14" District provisions,

subject to the special requirements referred to in section 1.

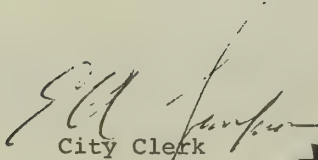
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-637".

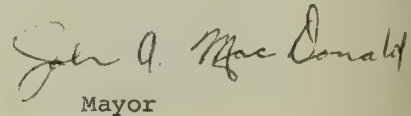
4. Sheet No. E-59D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-637".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

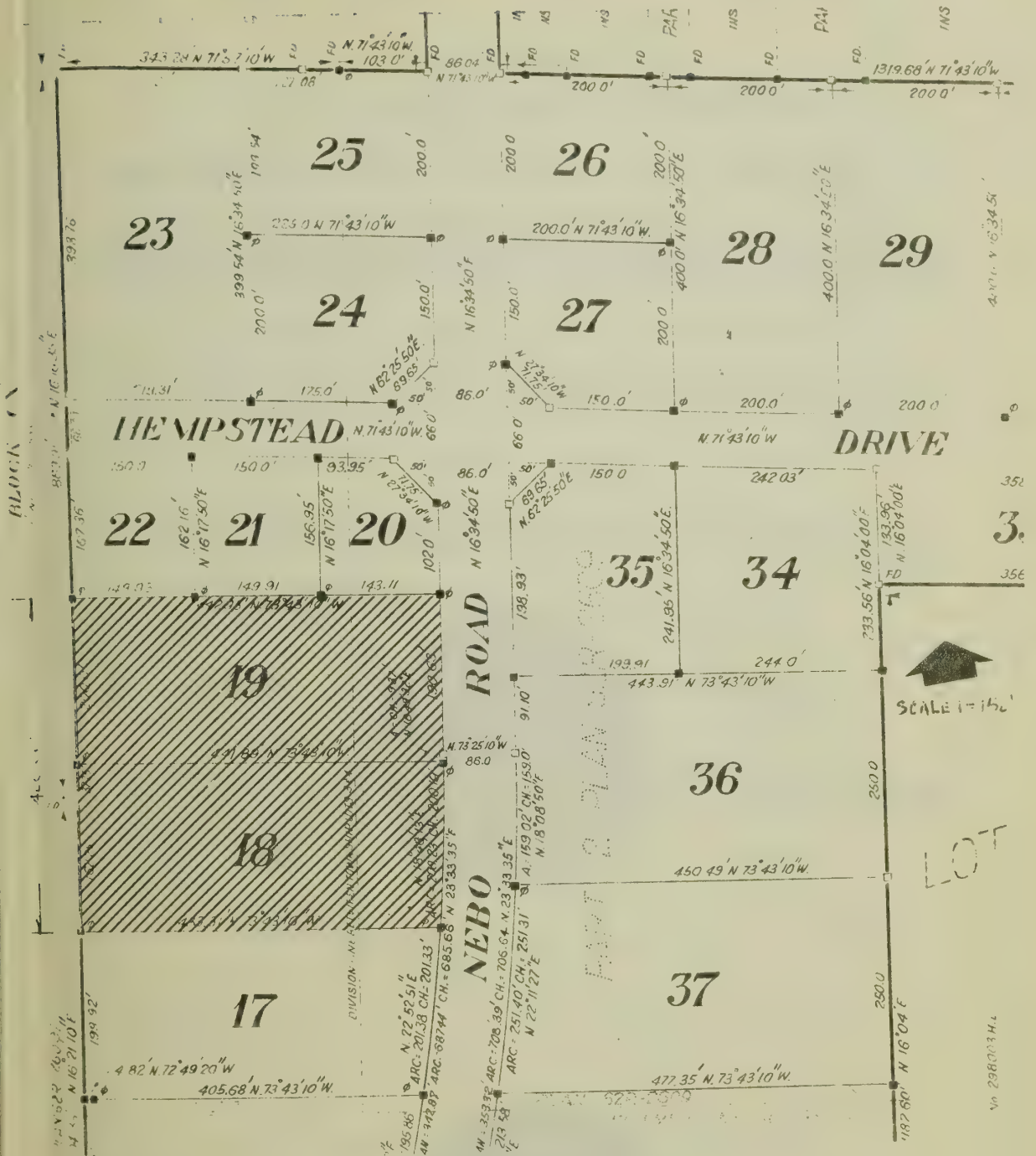
6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 27th day of March A.D. 1979.


City Clerk


Mayor





SCALE 1" = 150'

LEGEND



Lands to be regulated by By-law No. 79-94

Bill No. 92

This is Schedule "A" to By-law No. 79-94 passed the 27th day of March, 1979

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

BY-LAW NO. 79 - 95

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 25 (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby amended by deleting from Section 5 (One Hour Limit) the following item, namely:-

"Tragina West Britannia to 100 ft. south".

2. Schedule 25A (Parking Time Limits) is hereby amended by deleting from Section 5 (One Hour Limit) the following item, namely:-

"Oakwood South Sterling to Whitton".
and East

3. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following item, namely:-

"Forest North John to 144 ft. east",

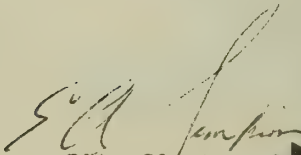
and by adding thereto the following items, namely:-

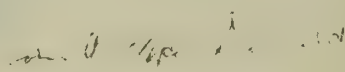
"Strachan South MacNab to 64 ft. east
West Ave. East Cannon to 82 ft. north
Lamoreaux South Dundurn to 60 ft. east".

4. Schedule 26A (No Parking Areas) is hereby amended by adding to Section E (No Parking Anytime) the following item, namely:-

"Oakwood South Sterling to Whitton".
and East

PASSED this 27th day of March , A.D. 1979.


City Clerk


Mayor



BY-LAW NO. 79 - 96

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

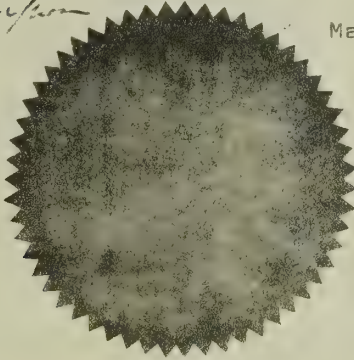
1. Schedule 29 (No Stopping Areas) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Huxley West King to 45 ft. south".

PASSED this 27th day of March , A.D. 1979.

E. J. [Signature]
City Clerk

[Signature]
Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 97

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 779 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38A of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "RT-20" (Townhouse - Maisonette) district to "C" (Urban Protected Residential, etc.) district, the land,

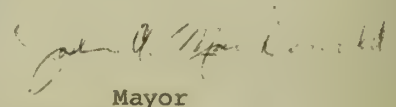
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

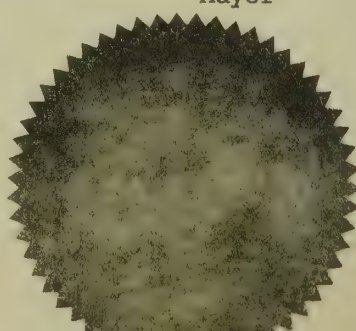
3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 27th day of March A.D. 1979.


City Clerk


Mayor

(1979) 8 R.P.D.C. 3, February 27
John DiFederico, Part Owner
Z.A. 79-02



DE-2/S
-156

BLOCK

AA

-246-

831 835 841

03/27/79

E-2/S-156

BLOCK

Scale: 1"=100' ±

CRESCENT



BLOCK "F"

LOCKTON

813

ROAD

226.00'

DE /
S-156

BLOCK "E"

LEGEND

Lands on Part of Sheet No. E-38A of The Zoning District Maps to be re-zoned from
"PT-20" (Townhouse - Maisonette) District to "C" (Urban Protected Residential, etc.)



DRIVE

LAWN HURST

C/S
-156

771

LIMERIDGE

772

LEGETT - CR

AA

Bill No. 95

This is Schedule "A" to By-law No. 79-97 passed the 27th day of March, 1979

THE CORPORATION OF THE CITY OF HAMILTON

501
City Clerk

W. A. Brown
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 98.

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF UPPER SHERMAN AVENUE,
IN THE AREA SOUTH OF MOHAWK ROAD EAST

WHEREAS it is intended to change the zoning of the
land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the
Official Plan of the Hamilton Planning Area, approved by the
Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

1. Sheet No. E-27A of the District Maps, appended to
and forming part of By-law No. 6593, passed on the 25th day
of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural)
district to "C" (Urban Protected
Residential, etc.) district, the land,

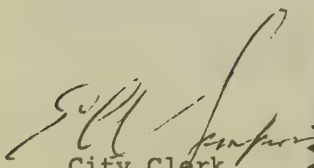
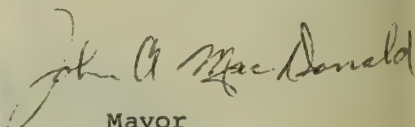
the extent and boundaries of which are shown on a plan hereto
annexed as schedule "A".

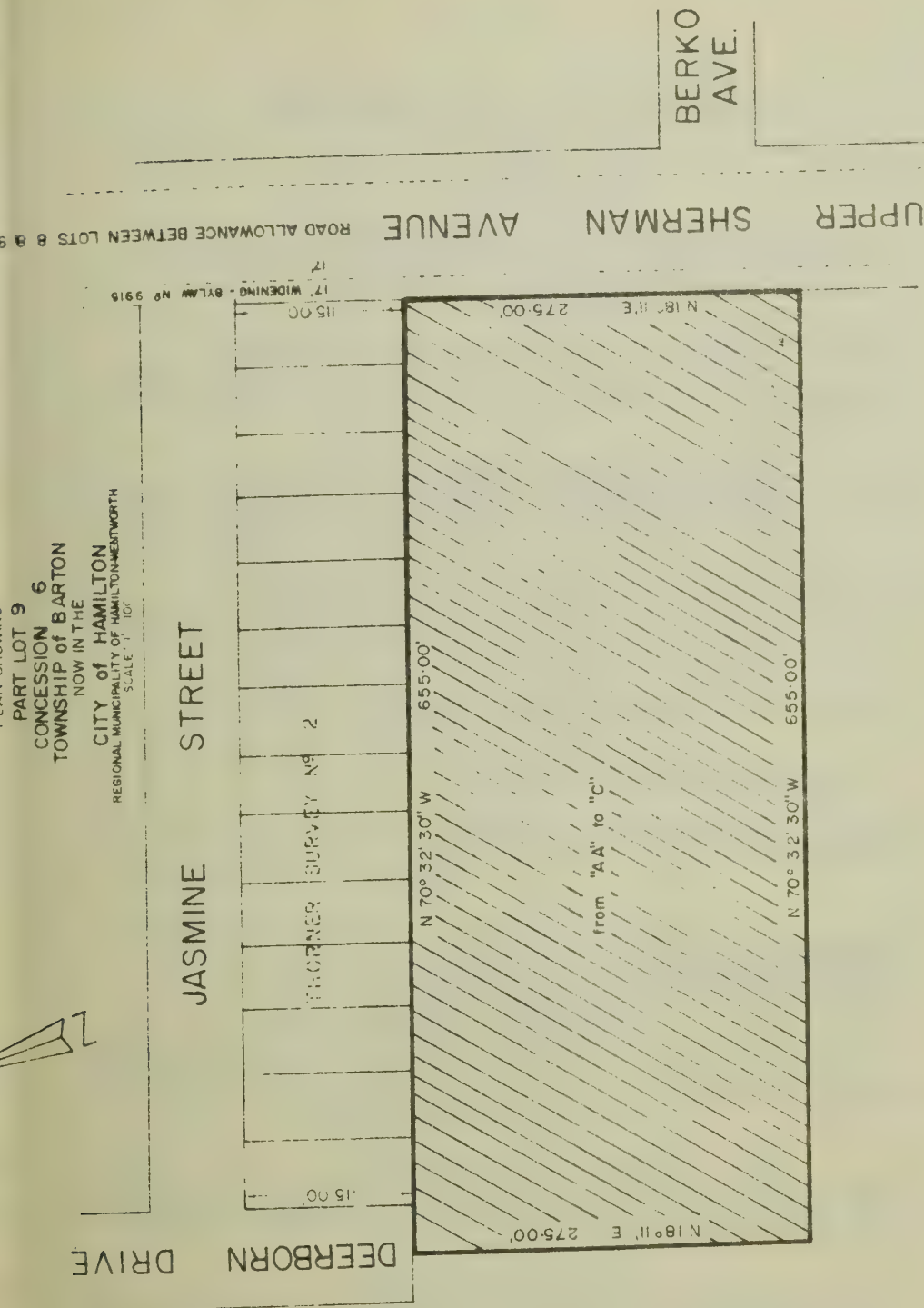
2. The City Clerk is hereby authorized and directed
to proceed as soon as possible with the giving of notice of
the passing of this by-law, including a brief explanation of
its purpose, and with the carrying out of all other directions
of the Ontario Municipal Board relating to the giving of such
notice.

3. The City Solicitor is hereby authorized and directed
to make application to the Ontario Municipal Board for the
necessary approval of this by-law.

PASSED this 27th day of March

A.D. 1979.


City Clerk
Mayor



H. B. ASHENHURST
ONTARIO LAND SURVEYOR
HAMILTON ONTARIO
FILE 7783

Bill No. 96

This is Schedule "A" to By-law No. 79-98 passed the 27th day of March, 1979

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79- 99

To Authorize:

AN APPLICATION FOR A SPECIAL GRANT TO
THE CANADIAN TRANSPORT COMMISSION FOR THE RECONSTRUCTION
OF A GRADE SEPARATION ON LAKE AVENUE

WHEREAS subsection 1 of section 16 of The Railway
Relocation and Crossing Act, S.C. 1974, Chapter 12 provides
as follows:

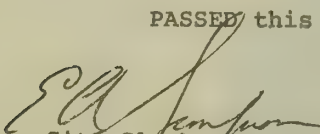
16. (1) Where a proposed construction or reconstruction of a grade separation of a railway crossing is desired in a province and all reasonable costs thereof, excluding the costs of relocating any public utility plant, appear likely to exceed one million two hundred and fifty thousand dollars, an application may be made to the Commission by the province or by any municipality on behalf of the province for a special grant to meet part of the costs of the construction or reconstruction of the grade separation;

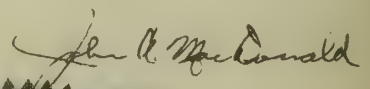
AND WHEREAS the City of Hamilton requires the reconstruction of a grade separation on Lake Avenue.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The City Clerk is hereby authorized and directed to make application to the Province of Ontario for an Order-in-Council authorizing the City of Hamilton to apply to the Canadian Transport Commission, pursuant to subsection 1 of section 16 of The Railway Relocation and Crossing Act, S.C. 1974, Chapter 12, for a special grant on behalf of the Province of Ontario to meet part of the costs of the reconstruction of a grade separation on Lake Avenue at mile 37.57, Grimsby Sub-division, of the Canadian National Railways.
2. The City Clerk, upon receipt of the Order-in-Council referred to in section 1, is hereby authorized and directed to make application for the special grant to the Canadian Transport Commission.
3. The City Clerk and all officials of the City of Hamilton are hereby authorized and directed to execute and complete all such documents, forms and undertakings as may be required for the application to the Province of Ontario and the Canadian Transport Commission.

PASSED this 27th day of March A.D. 1979.


City Clerk


Mayor

(1979) 10 R.T.E.C. 7, March 13
(Engineering)



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 100

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 96 EMERSON STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-41 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "J" (Light and Limited Heavy Industry, etc.) district to "G" (Neighbourhood Shopping Centre, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "G" District provisions applicable to the lands referred to in section 1 are amended to the extent only of the following variance as a special requirement:

- 1. Except where the land is used for residential purposes only, the use of the land for ingress to and egress from Aylett Street is hereby prohibited.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "G" District provisions,

subject to the special requirement referred to in section 2.

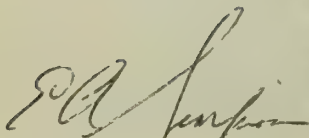
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-624".

5. Sheet No. W-41 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-624".

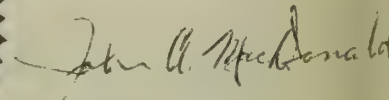
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 27th day of March A.D. 1979.


City Clerk




Mayor

STREET
LOT 123
R.C.P. NO. 1480

EMERSON
LOT 64
R.C.P. NO. 1480

PLAN SHOWING
LOT 63 - REGISTRAR'S COMPILED PLAN NO. 1480
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
SCALE 1" = 30'
D. A. HARRINGTON - ONTARIO LAND SURVEYOR
1979

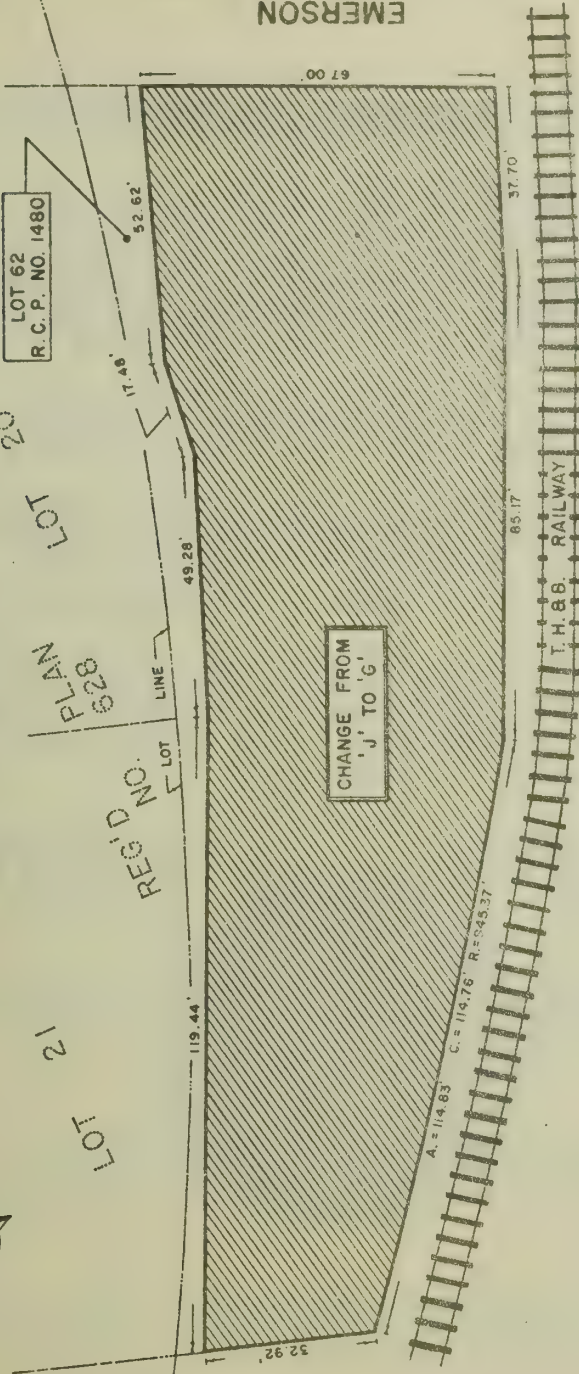
LOT 62
R.C.P. NO. 1480

PLAN
628
LOT
20

REC'D NO.

CHANGE FROM
'J' TO 'G'

AYLETT STREET



LOT 64 R.C.P. NO. 1480

CITY OF HAMILTON

DEPARTMENT OF ENGINEERING - LAND SURVEYS

EMERSON AND AYLETT STREETS - SCHEDULE FOR ZONING BY-LAW.

SURVEY BY COMP.	FIELD BOOK	FILE NO.	DATE JANUARY 1979
DRAWN BY J.P.	REF. DWG'S W-43 P-1254	SCALE 1" = 30'	CHECKED BY H.S.

W. Phillips
CITY ENGINEER

APPROVED

CITY SURVEYOR *D. Harrington* O.L.S.

PLAN No. NS - 2319 SURVEYS

NOTES:

1.  - DENOTES ALL OF LOT 63 REGISTRAR'S COMPILED PLAN NO. 1480 - TO BE REZONED.
2. R.C.P. - DENOTES REGISTRAR'S COMPILED PLAN.

Bill No. 98

This is Schedule "A" to By-law No. 79-100 passed the 27th day of March, 1979

THE CORPORATION OF THE CITY OF HAMILTON

Bill Phillips
City Clerk

John A. MacDonald
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 101

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT
MUNICIPAL NOS. 180, 182, 184, 186 and 188 WILSON STREET

WHEREAS a notice dated the 11th day of August, 1978 was served or caused to be served in accordance with subsection 6 of section 36 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS an order dated the 10th day of January, 1979 was served or caused to be served in accordance with subsection 6 of section 36 of the said Act and registered in the proper registry office or land titles office in accordance with subsection 21 of section 36 of the said Act;

AND WHEREAS no appeal has been made from the said order in accordance with subsection 17 of section 36 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired or demolished and the site cleared as required by the said order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with section 21 of the said Act the corporation has the right to demolish or repair the property in the event that the order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS, pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

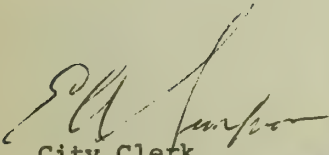
03/27/79

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

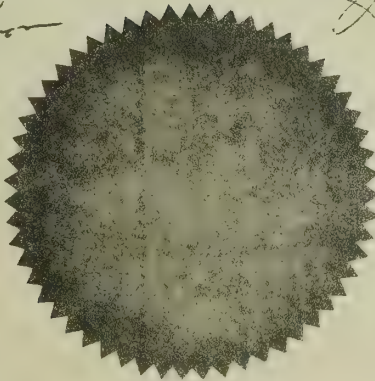
1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in schedule "A", and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this 27th day of March

A.D. 1979.


City Clerk


Mayor



(1979) 13 R.P.D.C. 1, March 27

SCHEDULE "A"

To By-law No. 79 - 101

Municipal Address: 180, 182, 184, 186 and 188 Wilson Street,
Hamilton, Ontario

ALL and Singular the certain parcel or tract of land and premises situate, lying and being in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth in the Province of Ontario, being composed of part of the reserve as shown on plan of survey made by E. & J.F. Moore and registered in the Registry Office for the Registry Division of Wentworth as Plan Number 36, and which may be more particularly described as follows, that is to say- COMMENCING at a point in the southern limit of Wilson Street, where it is intersected by the production northerly of the centre line of the party wall separating the semi-detached dwelling erected upon the lands herein described and known as Number 88 Wilson Street, from the semi-detached dwelling erected upon the lands immediately adjoining on the east and known as 90 Wilson Street, the said point being distant 64 feet 7 inches measured westerly along the southern limit of Wilson Street from the western limit of Cathcart Street. THENCE southerly to and along the centre line of the said party wall 34 feet 5 inches more or less to a point in the southern face of the southern wall of the main or front portion of the said dwelling, the said point being distant sixty-four feet and six inches measured westerly parallel with the southern limit of Wilson Street from the western limit of Cathcart Street; THENCE easterly along the southern face of the said last mentioned wall four and one-half inches more or less to a point in the eastern face of the eastern wall of the addition erected in rear of Number 88 Wilson Street; THENCE southerly along the eastern face of the said last mentioned wall twenty-one feet more or less to the south-eastern angle of the said addition, the said angle being distant sixty-four feet and one-half inch measured westerly parallel with the southern limit of Wilson Street from the western limit of Cathcart Street; THENCE continuing southerly along the line of a present existing fence thirty-six feet and eight inches more or less to a point in the northern limit of an alleyway, the said point being distant sixty-four feet and four inches measured westerly parallel with the southern limit of Wilson Street from the western limit of Cathcart Street; THENCE westerly along the northern limit of the aforesaid alleyway six feet and seven inches more or less to the north-eastern angle of a frame shed erected upon the lands herein described, THENCE

southerly along the eastern face of the aforesaid shed being parallel with the western limit of Cathcart Street eleven feet more or less to a point in the northern limit of another alleyway. THENCE westerly along the southern limits of Municipals Nos. 88, 86, 84, 82, and 80 Wilson Street seventy-three feet and eleven inches more or less to a point in the production southerly of the line of another existing fence. THENCE Northerly along the line of the said last mentioned present existing fence forty-seven feet and three and one-half inches more or less to the south-eastern angle of the addition erected in rear of Number 78 Wilson Street, the said angle being distant one hundred and forty-four feet and one-half inch measured westerly parallel with the southern limit of Wilson Street from the Western limit of Cathcart Street. THENCE continuing northerly along the eastern face of the eastern wall of the said addition twenty-one feet more or less to a point in the southern face of the southern wall of the main or front portion of dwelling Number 80 Wilson Street the said point being distant one hundred and forty-four feet and one and one-half inches measured westerly parallel with the southern limit of Wilson Street from the western limit of Cathcart Street. THENCE westerly along the southern face of the said last mentioned wall four and one-half inches more or less to a point in the centre line of the party wall separating dwellings Numbers 80 and 78 Wilson Street. THENCE northerly along the centre line of the said last mentioned party wall and the production northerly thereof thirty-four feet and six and one-half inches more or less to a point in the southern limit of Wilson Street; THENCE easterly along the southern limit of Wilson Street, eighty feet more or less to the place of beginning.

On the above described parcel of land are erected the semi-detached dwellings known as 88, 86, 84, 82, and 80 Wilson Street. TOGETHER with the use in common with others entitled thereto of an alleyway being composed of part of the reserve as shown on Plan No. 36 and being 10 feet 8 inches in width adjoining and to the south of the lands above described and the lands occupied by dwelling numbers 80, 82, 84, 86 and 88 Wilson Street, Hamilton. AND ALSO together with the use in common with others entitled thereto of a private alleyway being composed of part of the reserve as shown on Plan 36 and being 10 feet in width extending westerly from Cathcart Street a distance of 71 feet 8 inches.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 102

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT
MUNICIPAL NO. 74 AFTON AVENUE

WHEREAS a Notice dated the 13th day of June, 1978 was served or caused to be served in accordance with subsection 6 of section 36 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS an Order dated the 7th day of November, 1978 was served or caused to be served in accordance with subsection 6 of section 36 of the said Act and registered in the proper registry office or land titles office in accordance with subsection 21 of section 36 of the said Act;

AND WHEREAS an appeal has been made from the said Order in accordance with subsection 17 of section 36 of the said Act;

AND WHEREAS a hearing was held on the 11th day of January, 1979 by the Property Standards Committee in accordance with subsection 11 of section 36 of the said Act;

AND WHEREAS the Property Standards Committee confirmed the Order in accordance with subsection 18 of section 36 of the said Act;

AND WHEREAS no appeal has been lodged with a Judge of the Judicial District pursuant to subsection 19 of section 36 of the said Act;

AND WHEREAS the Order is now deemed to be final and binding pursuant to subsection 20 of section 36 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with section 21 of the said Act the corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

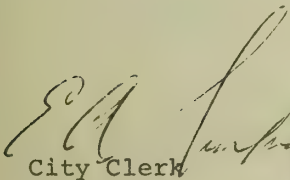
AND WHEREAS pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

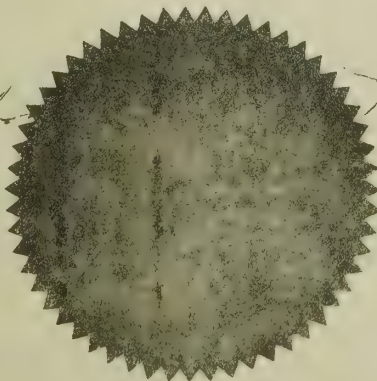
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

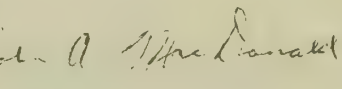
1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in schedule "A", and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this 27th day of March

A.D. 1979.


City Clerk




Mayor

SCHEDULE "A"

To By-law No. 79 - 102

Municipal Address: 74 Afton Avenue, Hamilton, Ontario

ALL and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the County of Wentworth, and being composed of parts of lots numbers forty-one (41) and forty-two (42) on Central Avenue more particularly described as follows: COMMENCING on the south side of Central Avenue at a post planted distant eighty-five feet (84') westerly from the corner of Prospect Street and Central Avenue; THENCE westerly and along Central Avenue twenty-two feet eight inches (22'8") to a post planted; THENCE southerly parallel with Prospect Street to the northerly margin of an alley in the rear of said lot forty-two (42); THENCE Easterly along the northerly margin of the said alley and being also the southerly limit of said lots forty-one (41) and forty-two (42) twenty-two feet eight inches (22'8") to a post planted; THENCE northerly parallel with Prospect Street to Central Avenue the place of beginning, according to Lewis Springer's Survey, Plan Number 252.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 103

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT
MUNICIPAL NOS. 5 and 7 FANNING STREET

WHEREAS a notice dated the 23rd day of June, 1978 was served or caused to be served in accordance with subsection 6 of section 36 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS an order dated the 11th day of December, 1978 was served or caused to be served in accordance with subsection 6 of section 36 of the said Act and registered in the proper registry office or land titles office in accordance with subsection 21 of section 36 of the said Act;

AND WHEREAS no appeal has been made from the said order in accordance with subsection 17 of section 36 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired or demolished and the site cleared as required by the said order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with section 21 of the said Act the corporation has the right to demolish or repair the property in the event that the order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS, pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

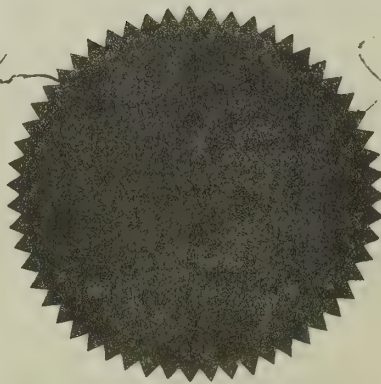
1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in schedule "A", and to leave the land in a graded and levelled condition.

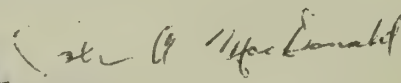
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this 27th day of March

A.D. 1979.


City Clerk




Mayor

(1979) 13 R.P.D.C. 1, March 27

SCHEDULE "A"

To By-law No. 79 - 103

Municipal Address: 5 and 7 Fanning Street,
Hamilton, Ontario

ALL and Singular that certain parcel or tract of land and premises situate, lying and being FIRSTLY in the said City of Hamilton and being composed of part of Lot No. 93 situate on the north side of Chatham Street between Locke and Garth Streets in J.C. Macklin's First Survey in the said City of Hamilton more particularly described as follows: COMMENCING at the North East angle of said Lot 93 thence Westerly along the Northern boundary of the said Lot. 93 forty feet (40') to a point; Thence Southerly and parallel to the Eastern limit of said Lot 93 fifty feet (50') to a point; Thence Easterly and parallel to the Northern limit of said Lot forty feet (40') more or less to the Western limit of Fanning Street; Thence Northerly along the Eastern limit of said Lot fifty feet (50') to the place of beginning.

SECONDLY in the said City of Hamilton and being composed of part of Lots Numbers 92 and 93 situate on the North side of Chatham Street between Locke and Garth Streets in J.C. Macklin's First Survey in the said City of Hamilton more particularly described as follows: COMMENCING at a point on the Northern boundary of said Lot 93 distant forty feet (40') measured Westerly from the North Eastern angle of said Lot 93, which point is also at the intersection of an alley-way with the Western limit of land now or formerly owned by one Walton; Thence Westerly along the said Northern boundary of Lots 92 and 93 thirty feet (30') to a point; Thence Southerly and parallel to the Eastern limit of Lots 92 and 93, fifty feet (50') to a point; Thence Easterly parallel to the Northern boundary of said Lots 92 and 93, thirty feet (30') to a point which point is also on the Western limit of the land now or formerly owned by the said Walton; Thence Northerly parallel to the Eastern limit of Lots 92 and 93 and along the said Walton's lands fifty feet (50') to the place of beginning.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 104

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 28 DEVONPORT STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-11 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "H" (Community Shopping and Commercial, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "H" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following restrictions as special requirements:

1. No side yards shall be required except as provided in this section.
2. No building or structure situated more than one hundred feet from the property line adjacent to York Boulevard shall be greater in height than the level described by the oblique line beginning at a point eighty-five feet in height and one hundred feet from York Boulevard and extending downwards at an angle of 45° to a point one hundred and seventy feet from York Boulevard as prescribed and illustrated in schedule "B" as Feature 6.

3. No building or structure more than one hundred and seventy feet from the property line adjacent to York Boulevard shall be greater than fifteen feet in height as prescribed and illustrated in schedule "B" as Feature 7.
4. The gross floor area of a building or structure shall not exceed two times the area of the lot on which it is situate.
5. There shall be provided and maintained along the south lot line of the property, a closed fence not less than 4 feet in height and not greater than 6 feet in height.
6. The land shall be subject to section 35a of The Planning Act and any amendments or any provisions substituted in lieu thereof.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "H" District provisions,

subject to the special requirements referred to in section 2.

4. (1) Schedule "B" is hereto annexed and forms part of this by-law.

(2) For the purpose of this by-law, schedule "B" prescribes and illustrates as special requirements,

- (a) measurement in feet and inches from one point to another at each end of a line representing a Feature for which a corresponding measurement is applicable; and
- (b) the slope in degrees from a horizontal line at grade level of a Feature either separately or in relation to one or more Features.

5. By-law No. 6593 is amended by adding this by-law to section 19B as "S-630".

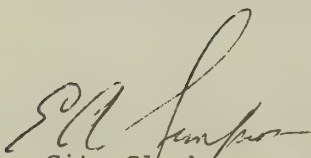
6. Sheet No. W-11 of the District Maps is amended by marking the land referred to in section 1, "S-630".

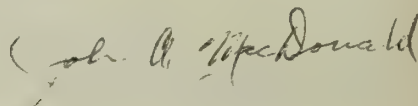
7. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the

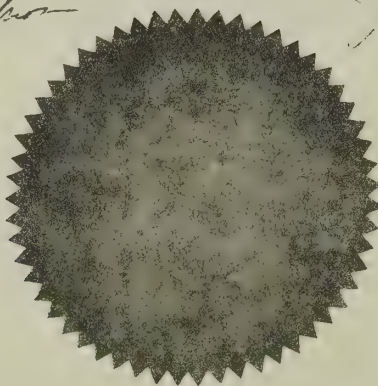
passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

8. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 27th day of March A.D. 1979.


City Clerk


Mayor



(1979) 8 R.P.D.C. 2, February 27
R.V. Kemp, Owner in Trust
Z.A. 78-67

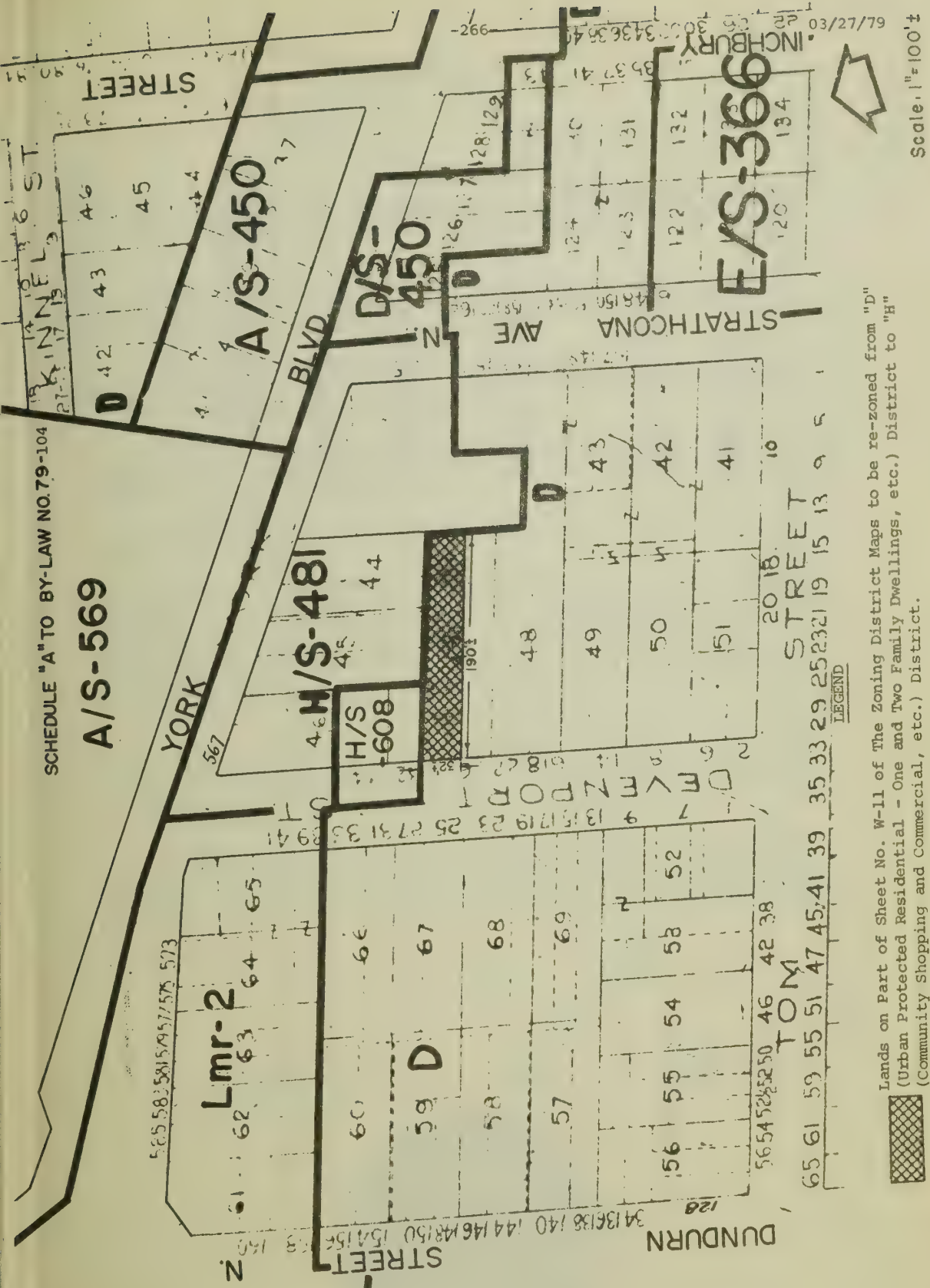
This is Schedule "A" to By-law No. 79-104 passed the 27th day of March, 1979

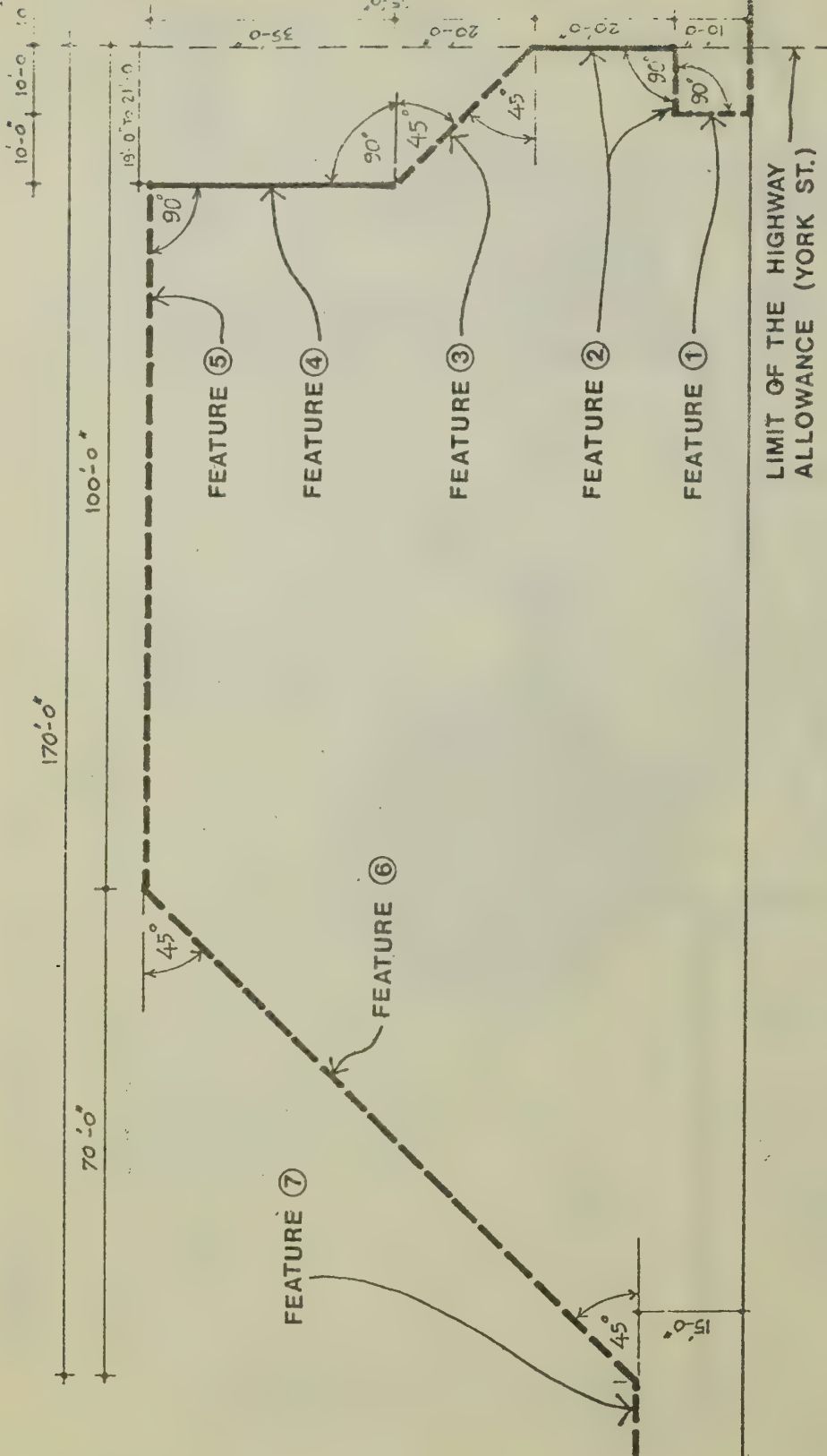
THE CORPORATION OF THE CITY OF HAMILTON

SA Simpson
City Clerk

John A. MacDonald
Mayor

Bill No. 102





SCHEDULE 'B'

Bill No. 102

This is Schedule "B" to By-law No. 19-104 passed the 27th day of March, 1979

E. A. Thompson
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. MacDonald
Mayor

Bill No. 103

BY-LAW No. 79-105

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 27TH DAY OF MARCH A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

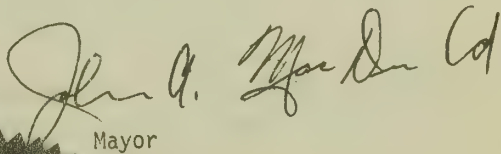
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 27th day of March

A.D., 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 106

To Amend:

Streets By-law No. 9329

Respecting:

TREES

WHEREAS By-law No. 9329, passed on the 9th day of May, 1961, as amended, relates to streets in the City of Hamilton;

AND WHEREAS it is desirable to change the reference from "Streets Commissioner" to "Director of Street Services";

AND WHEREAS section 457 of The Municipal Act, R.S.O. 1970, Chapter 284 authorizes a municipality to pass by-laws with respect to trees in the municipality as therein set out.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 9329 is renumbered as number "19".

2. By-law No. 9329 is amended by adding the following:

Definitions

1. "Streets Commissioner" means the Director of Street Services of the City of Hamilton.

3. Section 5 of By-law No. 9329 is amended by adding thereto the following sections:

(8) No person shall injure or destroy a tree.

(9) No person shall attach any object or thing to a tree located on any highway or public place, except with the consent of the Streets Commissioner notwithstanding that such attachment would not injure or destroy the tree.

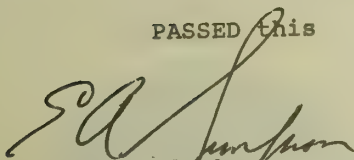
4. Section 17 of By-law No. 9329 is amended by adding at the beginning thereof, "Except as provided in subsection 7 of section 457 of The Municipal Act, R.S.O. 1970, ch. 284", so that the first line shall read as follows:

17. Except as provided in subsection 7 of section 457 of The Municipal Act, R.S.O. 1970, ch. 284, every person who contravenes any provision of this By-law....

PASSED this 10th day of

April

A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 107

To Amend:

Licensing By-law No. 73-342

Respecting:

AMBULANCE DRIVERS

WHEREAS schedule 4 of By-law No. 73-342, passed on the 18th day of December, 1973 and in force on the 1st day of January, 1974, provides for the licensing of ambulance drivers in accordance with paragraph 1 of section 376 of The Municipal Act;

AND WHEREAS ambulance drivers are subject to The Ambulance Act, R.S.O. 1970, Chapter 20, insofar as drivers and criminal records are investigated by the Province of Ontario;

AND WHEREAS in order to avoid duplication of investigations and reports by the City it is desirable to delete any reference to ambulance drivers.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

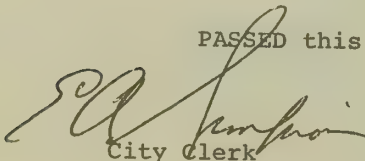
1. Section 2 of schedule 4 of By-law No. 73-342 is amended by adding thereto the following subsection:

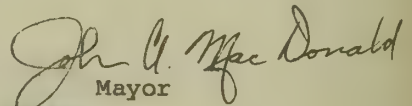
(3) For the purpose of subsection 2, "driver" does not include the driver of an ambulance.

2. Subsection 6 of section 9 of the said schedule is hereby repealed.

3. Section 6 of By-law No. 10467, passed on the 30th day of June, 1964, as amended by column 3 of paragraph 4 of schedule "A" to By-law No. 75-335, passed on the 9th day of December, 1975, is amended by striking out "ambulances" in the second line of paragraph 6 and by striking out paragraph 4 of schedule "A" of By-law No. 75-335.

PASSED this 10th day of April A.D. 1979.


City Clerk


Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 108

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF
MUNICIPAL NOS. 72, 76, 80, 150 and 154 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-9A and E-9B of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, are amended,

(a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the lands,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

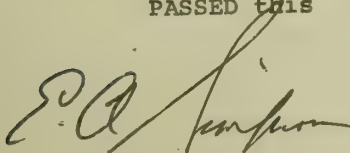
2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

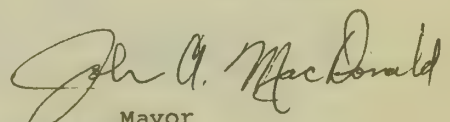
3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 10th day of

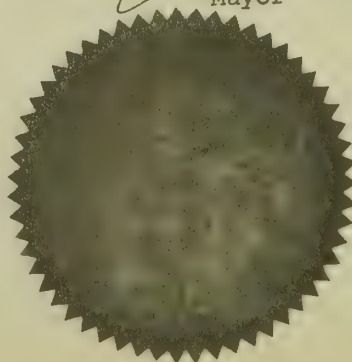
April

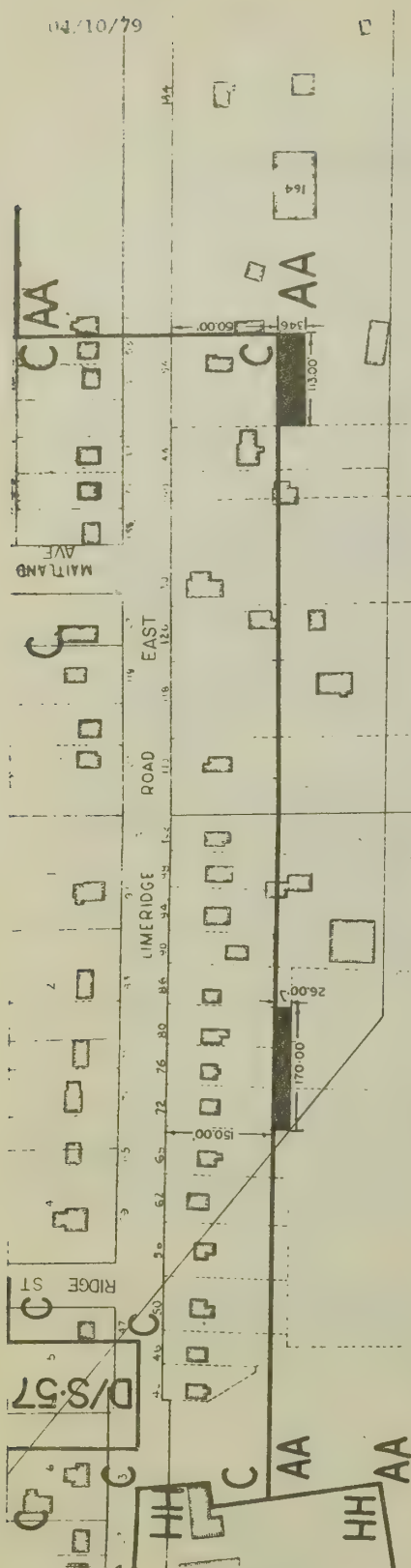
A.D. 1979.


City Clerk


Mayor

(1979) 11 R.P.D.C. 2, March 13
City Initiative 79-D





FREEWAY

MOUNTAIN

PROPOSED

Schedule 'A' To By-Law No. 79-108

-272-

AA

AA

LEGEND

Lands on Part of Sheet No. E-9A and Sheet No. E-9B of "The Zoning District Maps to be re-zoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

SCALE: 1"=200'±

Bill No. 107

This is Schedule "A" to By-law No. 79-108 passed the 10th day of April, 1979

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 109

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF
MUNICIPAL NOS. 1415 and 1423 UPPER GAGE AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49C of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

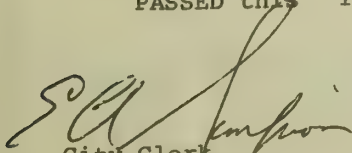
- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

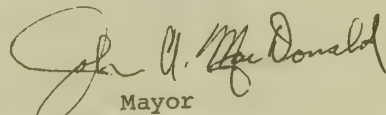
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

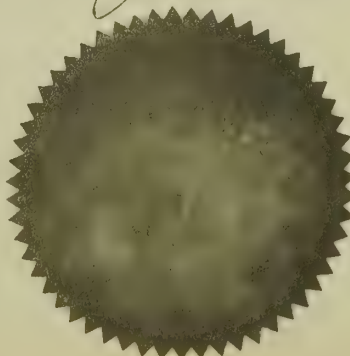
3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

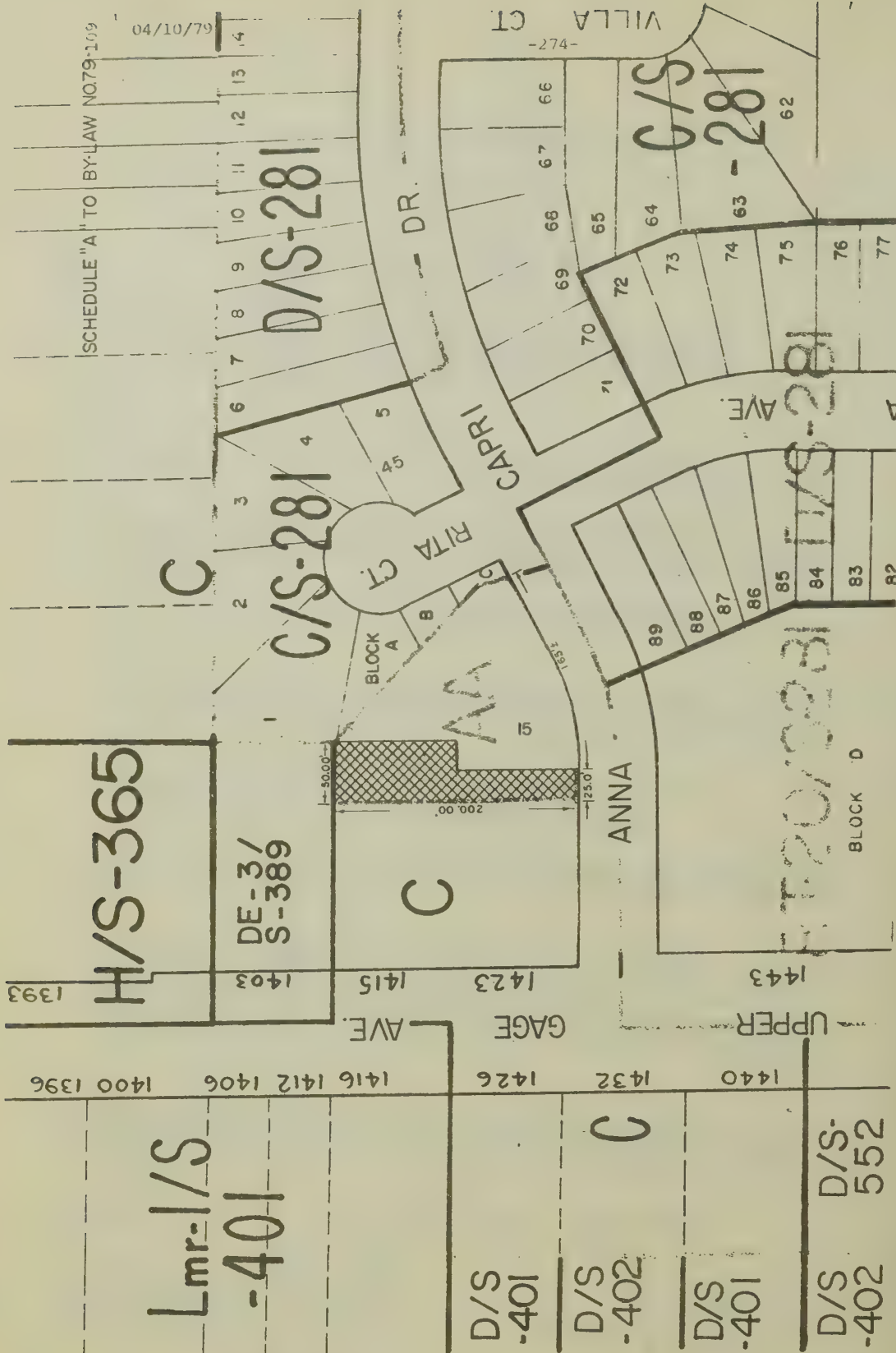
PASSED this 10th day of April A.D. 1979.


City Clerk


Mayor

(1979) 11 R.P.D.C. 3, March 13
City Initiative 79-E





The Corporation of the City of Hamilton

BY-LAW NO. 79 - 110

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 503 CONCESSION STREET

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the lands the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. Notwithstanding section 14(1) of By-law No. 6593, as amended by By-law No. 78-184, passed on the 28th day of June, 1978, a banquet hall shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "H" District provisions,

subject to the special requirement referred to in section 1.

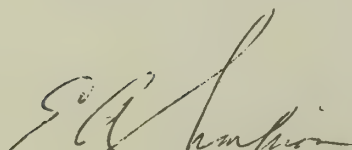
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-632".

4. Sheet No. E-15 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-632".

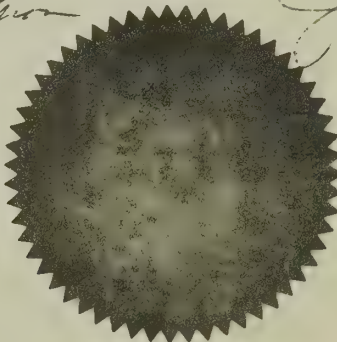
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

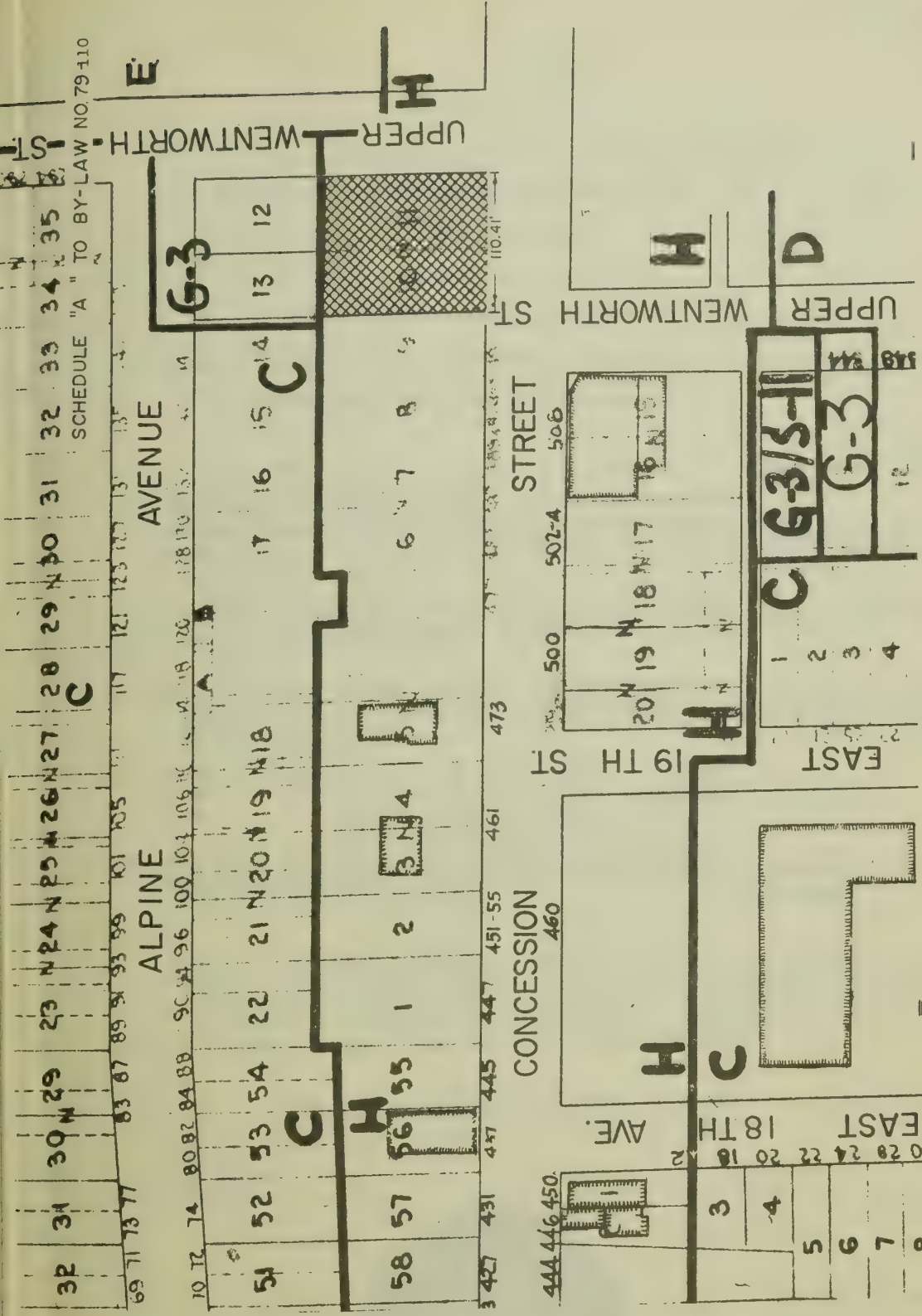
PASSED this 10th day of April A.D. 1979.


City Clerk


Mayor



(1979) 11 R.P.D.C. 4, March 13
City Initiative 79-F



Bill No. 109

This is Schedule "A" to By-law No. 79-110 passed the 10th day of April, 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 111

To Amend:

By-law No. 78-211

Respecting:

APPOINTMENT OF BUILDING INSPECTORS

WHEREAS By-law No. 78-211, passed on the 25th day of July, 1978, provides for the appointment of inspectors under The Building Code Act, 1974;

AND WHEREAS it is intended to amend By-law No. 78-211 by changing the names of inspectors.

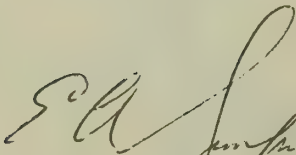
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

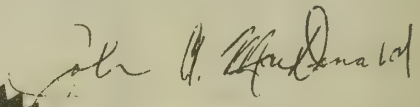
1. Paragraph 1 of clause (a) of section 2 of By-law No. 78-211 is repealed.

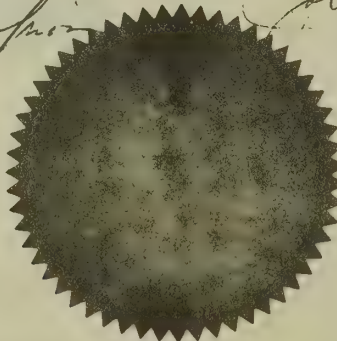
2. Paragraph 16 of clause (a) of section 9 of the said By-law is repealed and the following substituted in lieu thereof:

16. Douglas Clark.

PASSED this 10th day of April A.D. 1979.


City Clerk


Mayor



(1979) 14 R.P.D.C. 1, April 10

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 112

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 86 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-9A and E-9B of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, are amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

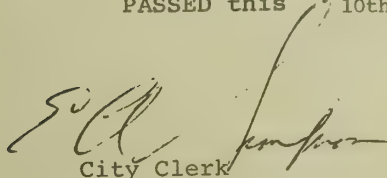
2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

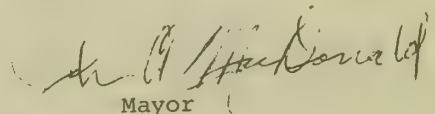
3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

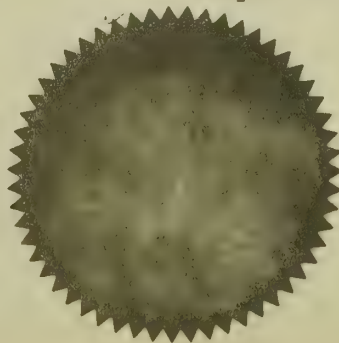
PASSED this 10th day of

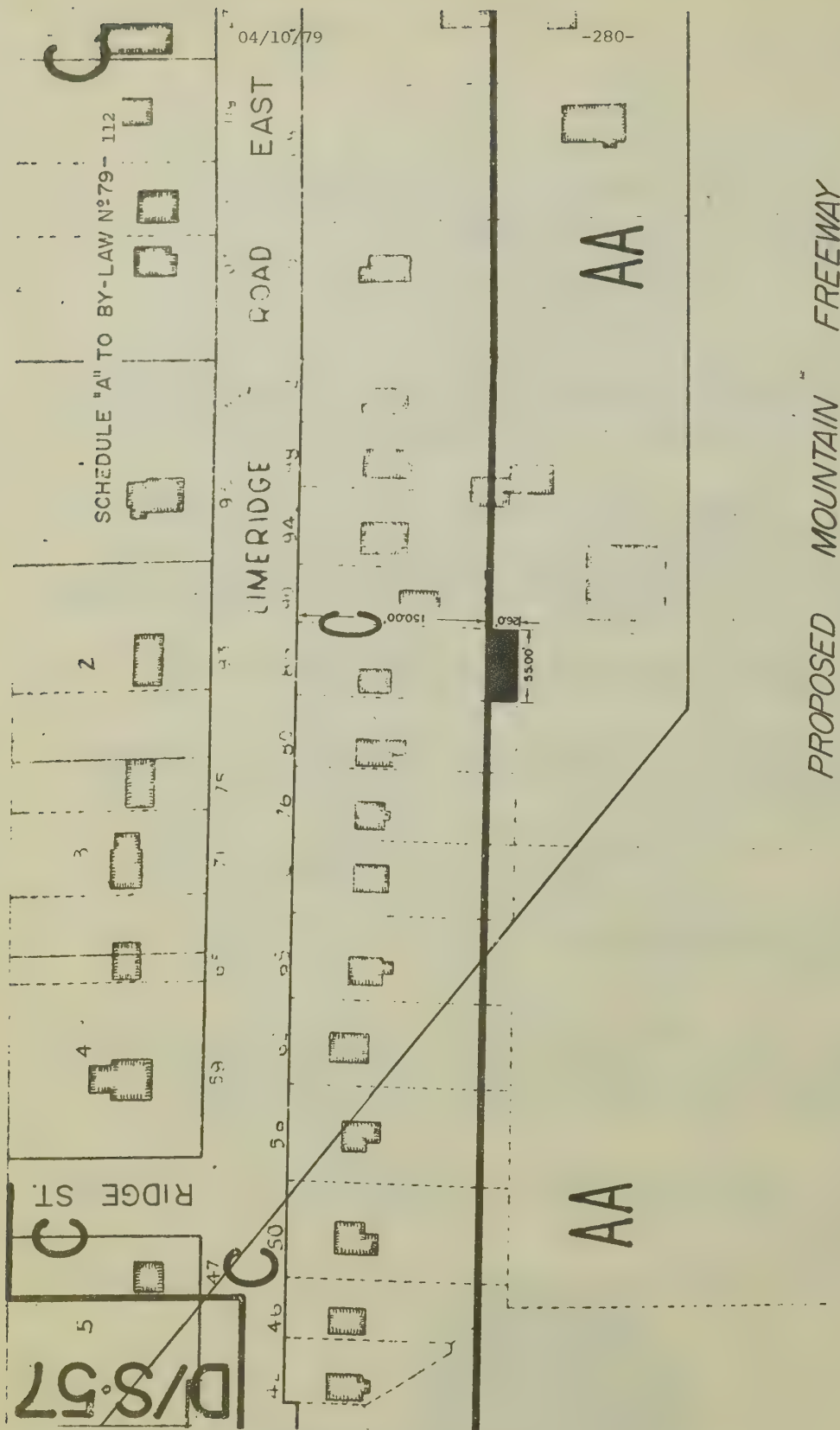
April

A.D. 1979.


City Clerk


Mayor





LEGEND

Lands on part of Sheet No. E-9A and Sheet No. E-9B of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.



Scale: 1" = 100'

Bill No. 111

This is Schedule "A" to By-law No. 79- 112 passed the 10th day of April, 1979

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

BY-LAW NO. 79 - 113

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 12 (One-Way Streets) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended by deleting therefrom the following item, namely:-

"Pearl	Southerly	Hunter	Tuckett",
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and by adding thereto the following items, namely:-

"Pearl	Southerly	Hunter	150 ft. south of Bold
Pearl	Southerly	South limit of Pine	Tuckett".

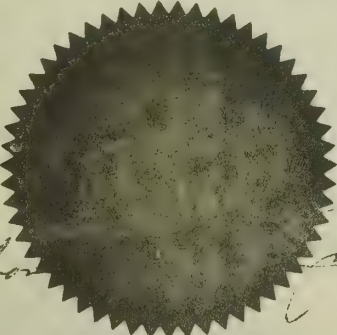
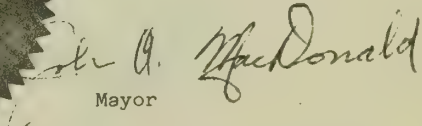
2. Schedule 29 (No Stopping Areas) is hereby amended by deleting from Section A (No Stopping Anytime) the following item, namely:-

"Stanley	South	From 114 ft. east of Locke to 58 ft. east",
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and by adding thereto the following item, namely:-

"Stanley	South	From 124 ft. east of Locke to 48 ft. east".
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PASSED this 10th day of April, A.D. 1979.

	 Mayor
 City Clerk	

BY-LAW NO. 79 - 114

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 25 (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended by deleting from Section 7 (Three Hour Limit) the following item, namely:-

"East Ave. Both Barton to Birge".

2. Schedule 25A (Parking Time Limits) is hereby amended¹ by adding to Section 7 (Three Hour Limit) the following item, namely:-

"East Ave. Both Barton to Birge".

3. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following items, namely:-

"Falkirk	Both	Courtland to 70 feet easterly
Courtland	East	From 65 ft. north of Falkirk to 65 ft. south of Falkirk",

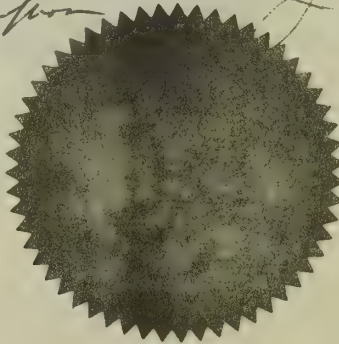
and by adding thereto the following items, namely:-

"Falkirk	North	Courtland to 70 ft. east
Falkirk	South	Courtland to 80 ft. east
Courtland	Both	From 141 ft. north of Falkirk to 120 ft. south of Falkirk".

PASSED this 10th day of April , A.D. 1979.

E.A. Simpson
CITY CLERK

John A. MacDonald
MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 115

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT BARTON STREET EAST AND CENTENNIAL PARKWAY

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G-1" (Designed Shopping Centre) district provisions applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. The land may be used for a commercial use that is a roller skating rink.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "G-1" District provisions,

subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-635".

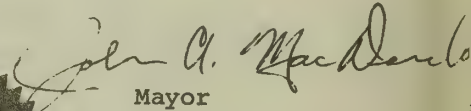
4. Sheets Nos. E-113 and E-114 of the District Maps are amended by marking the land referred to in section 1 of this by-law, "S-635".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

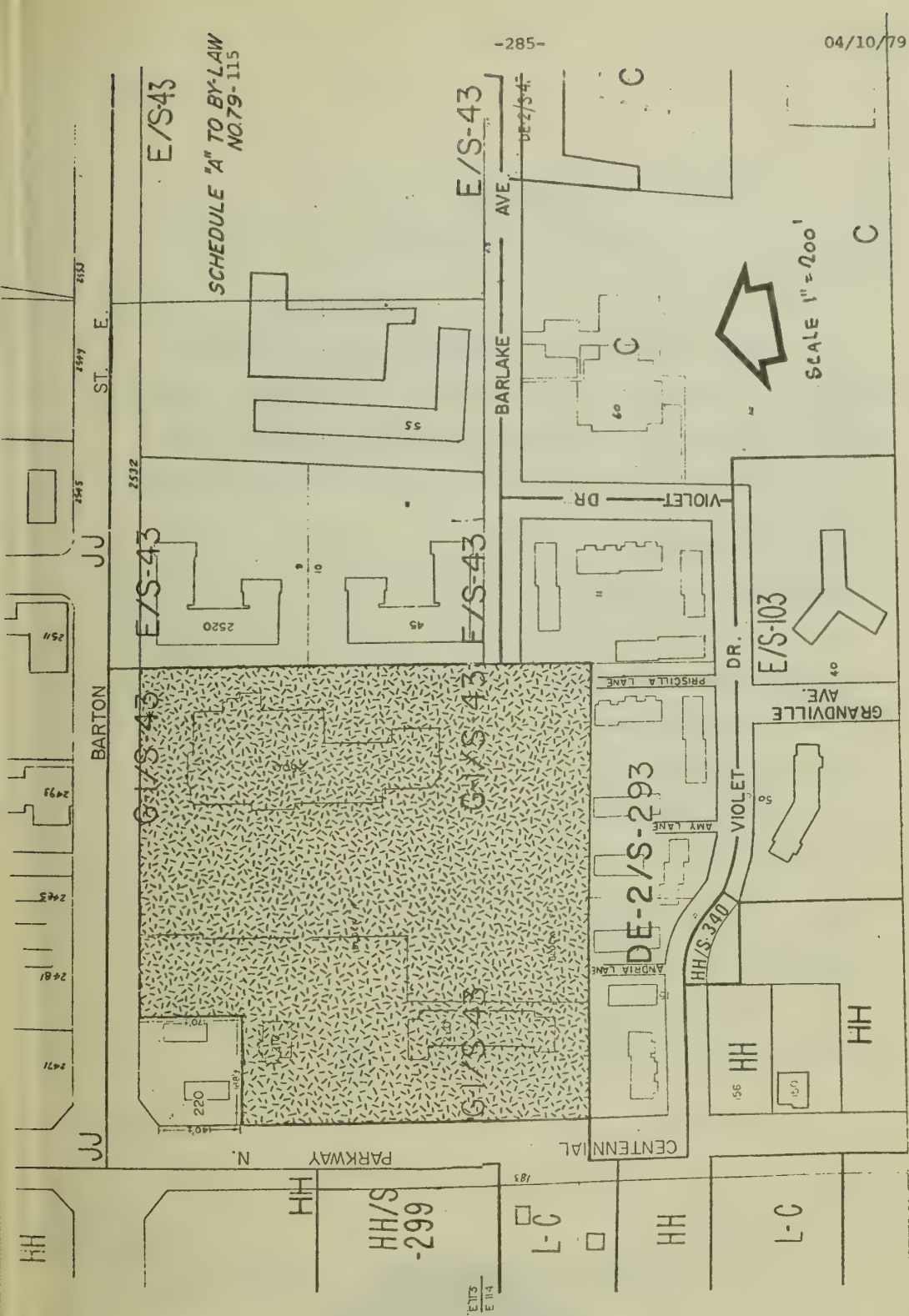
PASSED this 10th day of April A.D. 1979.


City Clerk


Mayor



(1979) 12 R.P.D.C. 3, March 27
Ongiara Properties Incorporated, Owner
Z.A. 79-09



This is Schedule "A" to By-law No. 79-115 passed the 10th day of April, 1979.

SA [Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. MacDonald
Mayor

BY-LAW NO. 79 - 116
TO EXTEND BERKINDALE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to extend a portion of the highway known as Berkindale Drive by incorporating within its limits the lands described in Schedule "A" hereto.

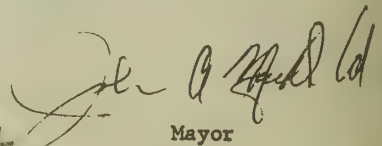
AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Berkindale Drive.
2. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 10th day of April A.D. 1979.


City Clerk


Mayor



SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Dunsmuir Road as established by The Van Wagner Plan registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 772 (said Dunsmuir Road now closed by Judge's Order, a certificate of which is registered as Instrument No. 27590 C.D.) and which said parcel may be more particularly described as all of Part 7 according to a Reference Plan received and deposited in the said Land Registry Office on January 23, 1976 as Plan 62R-2797.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 117

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE NORTH SIDE OF RYMAL ROAD EAST
IN THE AREA EAST OF UPPER GAGE AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49D of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "HH" (Restricted Community Shopping and Commercial, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 1; and
- (b) by changing from "HH" (Restricted Community Shopping and Commercial, etc.) district and "C" (Neighbourhood Shopping Centre, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 2; and
- (c) by changing from "AA" (Agricultural) district to "L-c" (Planned Commercial) district, the land comprised in Block 3; and
- (d) by changing from "AA" (Agricultural) district to "HH" (Restricted Community Shopping and Commercial, etc.) district, the land comprised in Block 4,

the extent and boundaries of each of which Blocks 1, 2, 3 and 4 are shown on a plan hereto annexed as schedule "A".

2. The "D" District provisions applicable to the land referred to as Block 1 and shown on schedule "A", are amended to the extent only of the following variance as a special requirement:

1. Section 10(1)(iii) of By-law No. 6593 shall not apply.

04/10/79

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land comprised in Block 1 be used, except in accordance with,

(a) the "D" District provisions applicable to Block 1,
subject to the special requirement referred to in section 2.

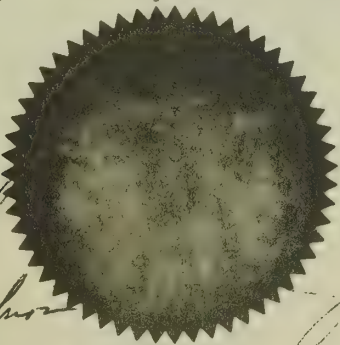
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-588".

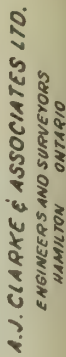
5. Sheet No. E-49D of the District Maps is amended by marking the lands referred to in section 2 of this by-law, "S-588".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 10th day of April 1979.


E.A. [Signature]
City Clerk
John A. MacDonald
Mayor



John A. McDonald
Mayor

Bill No. 117

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 118

To Appoint:

A Commissioner to The Hamilton
Harbour Commissioners

WHEREAS The Statutes of Canada, 2 Gen. V. Cap. 98 (1912)
does provide in section 6 as follows:

6. 1. The Corporation shall consist of three commissioners,
one of whom shall be appointed by the Council of the
City of Hamilton, and two by the Governor in Council.
2. The commissioner to be appointed by the City of
Hamilton shall be nominated in the Council, and an
affirmative vote of at least two-thirds of the members
of the Council present and voting shall be necessary
for his election.
3. The commissioner so appointed shall hold office for
three years, subject to removal, and until his successor
is appointed, and shall be eligible for re-appointment.
4. No member of the Council shall be eligible to be a
commissioner.

AND WHEREAS the term of office of the commissioner appointed
by the Council of the City of Hamilton was from April 15, 1976;

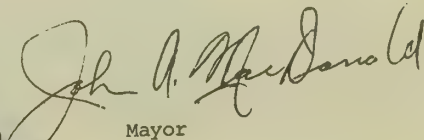
NOW THEREFORE the Council of the Corporation of the City of
Hamilton enacts as follows:

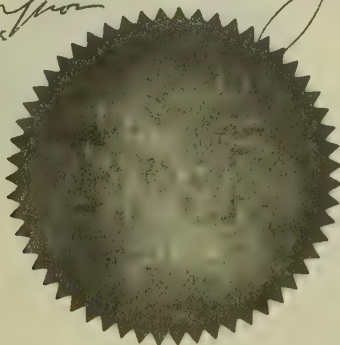
1. The following person, having been nominated in the Council
on the 10th day of April 1979, is hereby appointed a commissioner
of The Hamilton Harbour Commissioners to hold office for three years
from April 15, 1979.

IAN DEANS

PASSED by a vote of two-thirds of all members of the Council
present and voting this 10th day of April 1979.


City Clerk


Mayor



Bill No. 104

BY-LAW No. 79-119

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 10TH DAY OF APRIL, A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

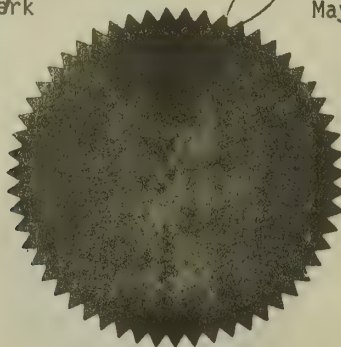
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 10th day of April A.D., 1979.

Edna Hamilton
City Clerk

John A. MacDonald
Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 120

To Amend:

By-law No. 76-98

Respecting:

THE KING STREET EAST IMPROVEMENT AREA

WHEREAS By-law No. 76-98, passed on the 13th day of April, 1976, established the Board of Management of The King Street East Improvement Area in accordance with section 361 of The Municipal Act, R.S.O. 1970, Chapter 284;

AND WHEREAS The Municipal Act has been amended to provide for an extension in the term of holding office by a Board member from one year until the expiration of the term of the council that appointed the member;

AND WHEREAS it is desirable to amend the wording of section 13 of By-law No. 76-98 to more clearly reflect subsection 10 of section 361 of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 4 of By-law No. 76-98 is repealed and the following substituted therefor:

4. Each member shall hold office from the time of his appointment until the expiration of the term of the council that appointed him, provided he continues to be qualified under section 3.

2. Section 13 of the said By-law is repealed and the following substituted therefor:

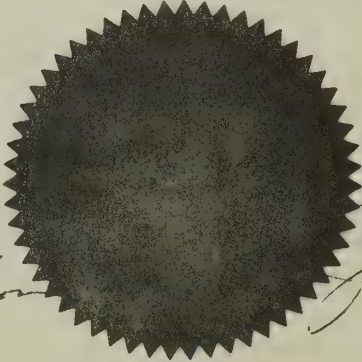
13. (1) The Board of Management of The King Street East Improvement Area shall submit to council, its estimates for the current year at the time and in the form prescribed by the council.

(2) The said Board may make requisitions upon the council for all sums of money required to carry out its powers and duties.

(3) The council may reject such estimates in whole or in part or provide the money for the purpose of the Board.

(4) When the money is provided by the council, the City Treasurer shall, upon certificate of the Board, pay out such money to the Board.

PASSED this 24th day of April A.D. 1979.


John A. McLaughlin
City Clerk

John A. McDonald
Mayor

BY-LAW NO. 79 - 121

TO WIDEN LECLAIRE STREET
BY INCORPORATING PART BLOCK "G", PLAN M-160

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

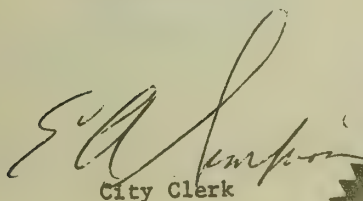
AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as LeClaire Street by incorporating within its limits the lands described in Schedule "A" hereto.

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

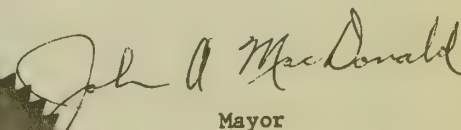
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of LeClaire Street.
2. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 24th day of April A.D. 1979.


City Clerk




Mayor

DESCRIPTION FOR BY LAW TO WIDEN LECLAIRE STREET
BY INCORPORATING PART BLOCK "G" PLAN M-160

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Block "G" according to Oakington Estates (Phase 2) filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-160 and which said parcel may be more particularly described as follows:

Premising that all bearings herein are astronomic and are referred to the western limit of Plan M-160 on a course of North 15°00' East.

Commencing at the south east angle of Lot 20 according to Chateau Estates (Phase 1) filed in the said Land Registry Office as Plan M-109.

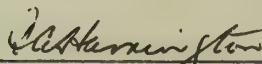
Thence South 15°00' West along a western limit of Block "G", fifty-five point zero feet (55.0') to an angle therein.

Thence South 75°00' East one point zero feet (1.0') more or less to an eastern limit of Block "G".

Thence North 15°00' East along an eastern limit of Block "G", fifty-five point zero feet (55.0') more or less to an angle therein.

Thence North 75°00' West along a northern limit of Block "G", one point zero feet (1.0') more or less to the point of commencement.

The above described parcel shown in heavy outline and designated as Part 1 on Plan N.S. 2323 Surveys hereto attached.

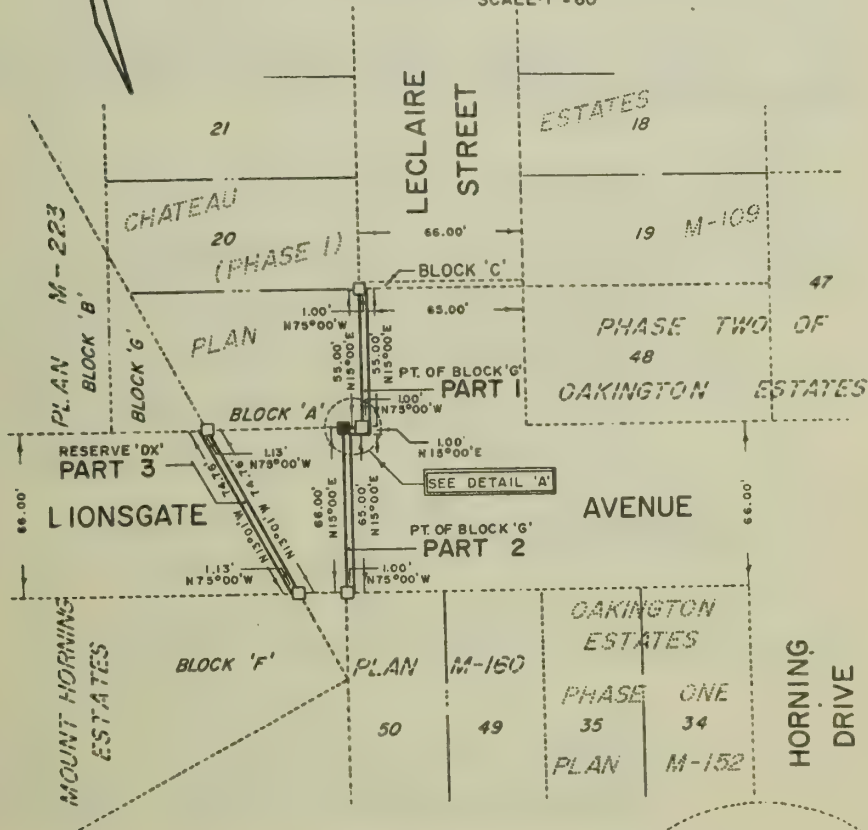


D.A. HARRINGTON
ONTARIO LAND SURVEYOR

9 April, 1979
Department of Engineering
DAH:sr

FORM S.P. 8

SKETCH TO ILLUSTRATE DESCRIPTION OF
ALL OF BLOCK 'G'-I' RESERVE
PHASE TWO OF OAKINGTON ESTATES
PLAN M-160
RESERVE 'DX'-I' RESERVE
MOUNT HORNING ESTATES
PLAN M-223
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE: 1"=60'

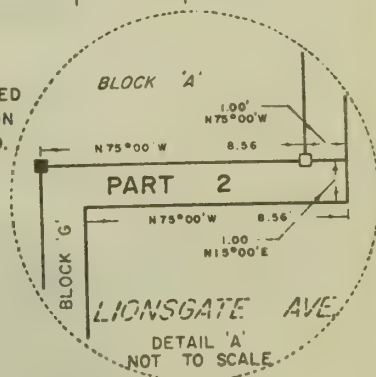


NOTE

BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE WESTERN LIMIT OF PHASE TWO OF OAKINGTON ESTATES ON A COURSE OF N15°00'E AS SHOWN ON REGISTERED PLAN M-160.

SCHEDULE

PART	INCORPORATION
1	INCORPORATING PART OF BLOCK 'G' I'-RESERVE INTO LECLAIRE STREET.
2	INCORPORATING PART OF BLOCK 'G' I'-RESERVE INTO LIONSGATE AVENUE.
3	INCORPORATING RESERVE 'DX' - I' RESERVE INTO LIONSGATE AVENUE.



CITY OF HAMILTON
DÉPARTMENT OF ENGINEERING - LAND SURVEYS

LIONSGATE AVE. & LECLAIRE ST. - INCORPORATING I RESERVES INTO THE STREETS.

SURVEY BY COMP.	FIELD BOOK	FILE No. 839-0001	DATE FEBRUARY 1979
DRAWN BY RICK	REF. DWG'S P-995 P-1068 SP-1139		CHECKED BY H.S.

APPROVED

CITY ENGINEER

CITY SURVEYOR

PLAN No. NS-2323 SURVEYS

The Corporation of the City of Hamilton

BY-LAW NO. 79- 122 .

To Amend:

Health By-law No. 4798

Respecting:

VENOMOUS REPTILES

WHEREAS section 1 of The City of Hamilton Act, S.O. 1951, Chapter 103, provides that The Corporation of the City of Hamilton may pass by-laws,

1. for amending and revising from time to time By-law No. 4798, and
2. for regulating, in any such amending or revising of said By-law No. 4798, all matters relating to the design, erection, alteration, demolition, removal, maintenance, and use of buildings and structures and the use of land, and the design, construction, installation, alteration, maintenance and use of all equipment, facilities, matters and things, for the better protection of persons from conditions that may be or become injurious to health.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2 of section 707 of By-law No. 4798 is amended by adding thereto the following subsections:

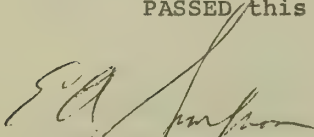
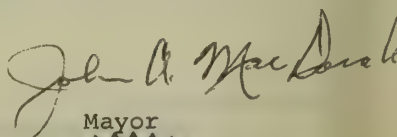
(5a) Except as provided in subsection (5b), no person shall keep or permit to be kept for storage, shelter, sale or as a pet, any venomous reptile and any other reptile that may be or become injurious to the health of any person.

(5b) Subsection (5a) shall not apply to a Provincial Public Health Laboratory, a recognized University or College Laboratory or The Hamilton Society for the Prevention of Cruelty to Animals.

2. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for approval of this By-law.

PASSED this 24th day of April

A.D. 1979.


City Clerk
Mayor

BY-LAW NO. 79 - 123

TO ESTABLISH LIONSGATE AVENUE
WEST OF LeCLAIRE STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to establish a portion of the highway known as Lionsgate Avenue by incorporating within its limits the lands described in Schedule "A" hereto.

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

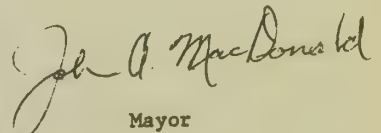
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Lionsgate Avenue.
2. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 24th day of April A.D. 1979.


City Clerk




Mayor

SCHEDULE "A"

Description for By-law to extend
Lionsgate Avenue west of Leclaire Street

First

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Block 'A' according to Chateau Estates (Phase 1) filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-109 and which said parcel may be more particularly described as all of Part 21 according to a Plan of Record filed in the said Land Registry Office as Plan 62R-4062.

Secondly

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Reserve 'DX' according to Mount Horning Estates filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-223.

The above secondly described parcel being shown in heavy outline and designated as Part 3 on Plan N.S. 2323 Surveys hereto attached.

Thirdly

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Block 'G' according to Oakington Estates (Phase 2) filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth, as Plan M-160 and which said parcel may be more particularly described as follows:-

Premising that all bearings herein are astronomic and are referred to the western limit of said Plan M-160 on a course of North 15°00' East.

Commencing at the north west angle of Lot 50 according to Oakington Estates (Phase 1) filed in the said Land Registry Office as Plan M-152.

Thence North 15°00' East along a western limit of Block 'G' sixty six point zero feet (66.0') to an angle therein.

Thence South 75°00' East along a northern limit of Block 'G' nine point five six feet (9.56') more or less to an eastern limit of Block 'G'.

Thence South 15°00' West along the said eastern limit of Block 'G', one point zero zero feet (1.00') more or less to an angle therein.

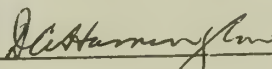
Thence North 75°00' West along a southern limit of Block 'G', eight point five six feet (8.56') to an angle therein.

Thence South 15°00' West along an eastern limit of Block 'G', sixty six point zero feet (66.0') more or less to the northern limit of Lot 50 Oakington Estates (Phase 1).

- 2 -

Thence North 75°00' West along the said northern limit of Lot 50, one point zero feet (1.0') more or less to the point of commencement.

The above thirdly described parcel being shown in heavy outline and designated as Part 2 on Plan N.S. 2323 Surveys hereto attached.



D. A. Harrington,
Ontario Land Surveyor.

FORM S.P. 8

SKETCH TO ILLUSTRATE DESCRIPTION OF
ALL OF BLOCK 'G' - I' RESERVE
PHASE TWO OF OAKINGTON ESTATES
PLAN M-160

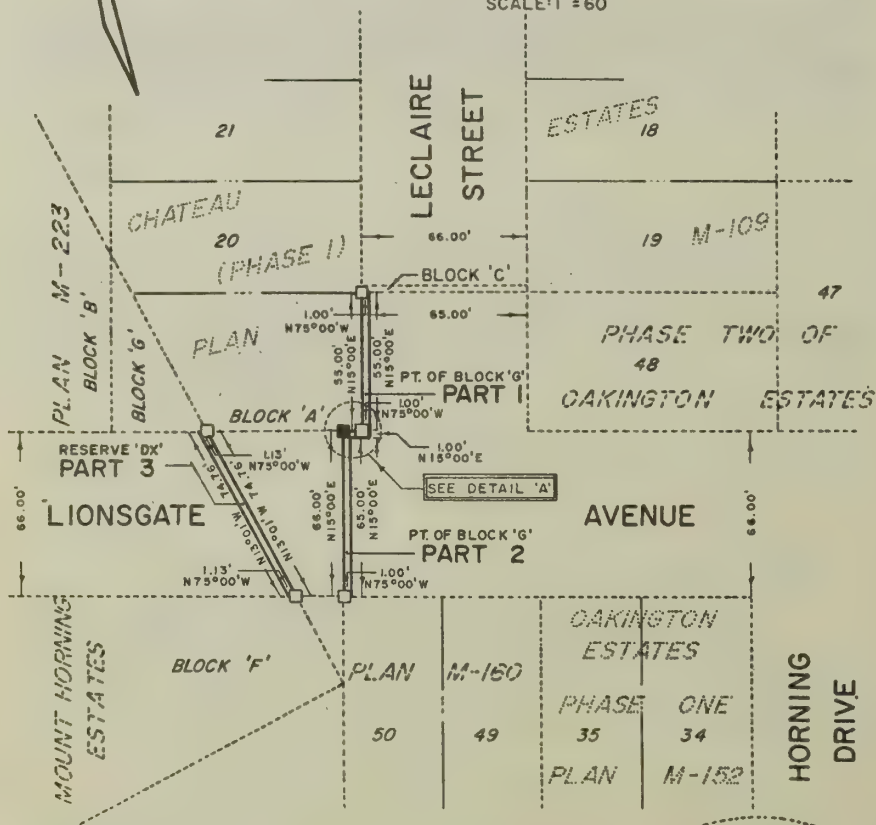
RESERVE 'DX' - I' RESERVE
MOUNT HORNING ESTATES
PLAN M-223

IN THE

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE: 1" = 60'

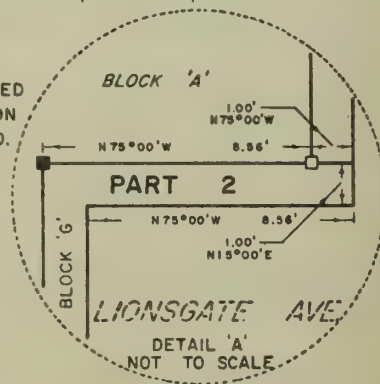


NOTE

BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE WESTERN LIMIT OF PHASE TWO OF OAKINGTON ESTATES ON A COURSE OF N15°00'E AS SHOWN ON REGISTERED PLAN M-160.

SCHEDULE

PART	INCORPORATION
1	INCORPORATING PART OF BLOCK 'G' I'-RESERVE INTO LECLAIRE STREET.
2	INCORPORATING PART OF BLOCK 'G' I'-RESERVE INTO LIONSGATE AVENUE.
3	INCORPORATING RESERVE 'DX' - I' RESERVE INTO LIONSGATE AVENUE.



CITY OF HAMILTON
DEPARTMENT OF ENGINEERING - LAND SURVEYS

LIONSGATE AVE. & LECLAIRE ST. - INCORPORATING 1 RESERVES INTO THE STREETS.

SURVEY BY COMP.	FIELD BOOK	FILE No. 839-0001	DATE FEBRUARY 1979
DRAWN BY RICK	REF. DWG'S P-995 P-1068 SP-1139	CHECKED BY H.S.	

APPROVED

CITY ENGINEER

CITY SURVEYOR

O.I.S.

PLAN No. NS-2323 SURVEYS

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 124

To Amend:

By-law No. 10468

Respecting:

MASTER ELECTRICIANS

WHEREAS paragraph 5 of section 383 of The Municipal Act, R.S.O. 1970, Chapter 284 authorizes the examining, licensing, regulating and governing of master electricians;

AND WHEREAS schedule 4 of By-law No. 10468 provides for the examining, licensing, regulating and governing of master electricians;

AND WHEREAS subsection 1 of section 5 of schedule 4 establishes an examining board for the examination of master electricians;

AND WHEREAS it is intended that certificates of passing of examinations issued by specified municipalities or other evidence satisfactory to the Licensing Committee that a licence has been issued by a specified municipality and is in force, shall be accepted in place and stead of an examination of an applicant for a master electrician's licence of the City of Hamilton;

AND WHEREAS it is intended that a certificate of the City of Hamilton or a licence issued to a master electrician shall be accepted by the specified municipalities in place and stead of an examination of a City of Hamilton licensee by the specified municipalities for a master electrician's licence.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 4 of By-law No. 10468 is amended by adding thereto the following section:

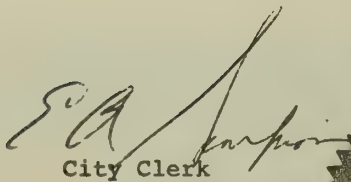
5a (1) Where a master electrician licensed by a municipality referred to in subsection 2 files with the examining board a certificate issued by the municipality that he has passed

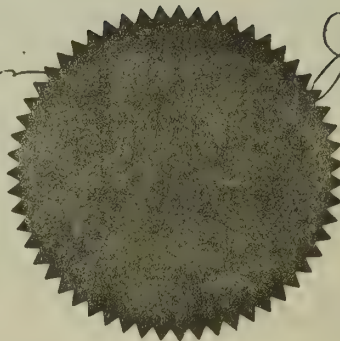
an examination or other evidence satisfactory to the Licensing Committee that a licence has been issued by the municipality and is in force, the examining board shall not be required to examine the applicant and the Licensing Committee may issue a licence.

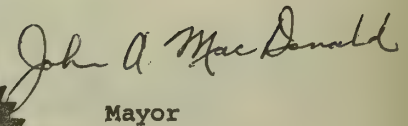
(2) For the purpose of this section, "municipality" means the following cities:

1. Brantford.
2. Guelph.
3. Kingston.
4. Kitchener.
5. London.
6. Ottawa.
7. Sudbury.
8. Thunder Bay.
9. Toronto.
10. Windsor.

PASSED this 24th day of April A.D. 1979. .


City Clerk




Mayor

(1979) 4 R.L.F.C. 17, April 10

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 125

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT
MUNICIPAL NO. 243 WELLINGTON STREET NORTH

WHEREAS a Notice dated the 4th day of October, 1978 was served or caused to be served in accordance with subsection 6 of section 36 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS an Order dated the 22nd day of January, 1979 was served or caused to be served in accordance with subsection 6 of section 36 of the said Act and registered in the proper registry office or land titles office in accordance with subsection 21 of section 36 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with subsection 17 of section 36 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with section 21 of the said Act the corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

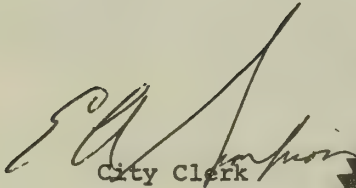
AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS, pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

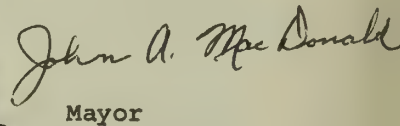
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in schedule "A", and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this 24th day of April A.D. 1979


City Clerk




Mayor

(1979) 17 R.P.D.C. 1, April 24

SCHEDULE "A"

To By-law No. 79- 125

Municipal Address: 243 Wellington Street North,
Hamilton, Ontario

ALL and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth, and being composed of part of Lot Number 183 in JOHN FERGUSON'S SURVEY being registered plan No. 287 in the said City of Hamilton and which said parcel or tract can be more particularly described as follows, that is to say:

COMMENCING at a stake planted at the intersection of the division line between Lots Numbers 183 and 184 within the westerly limit of Wellington Street;

THENCE westerly along the said division line between lots numbers 183 and 184, 107 feet 6 inches to a stake planted in the westerly limit of Lot Number 183;

THENCE northerly along the westerly limit of the said Lot No. 183, 15 feet 11 inches to a joint in a line produced westerly of the centre line of a party wall between dwellings numbers 241 and 243 Wellington Street North;

THENCE easterly along the line being the production westerly of the previously mentioned centre line of the party wall between dwellings nos. 241 and 243 Wellington Street North and continuing easterly thereon, 107 feet 6 inches to the westerly limit of Wellington Street;

THENCE southerly along the westerly limit of Wellington Street, 16 feet 6½ inches to the place of beginning.

On the said lands is said to be erected an attached insulbrick dwelling known as No. 241 Wellington Street North.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 126

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT
MUNICIPAL NO. 245 WELLINGTON STREET NORTH

WHEREAS a Notice dated the 4th day of October, 1978 was served or caused to be served in accordance with subsection 6 of section 36 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS an Order dated the 22nd day of January, 1979 was served or caused to be served in accordance with subsection 6 of section 36 of the said Act and registered in the proper registry office or land titles office in accordance with subsection 21 of section 36 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with subsection 17 of section 36 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with section 21 of the said Act the corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

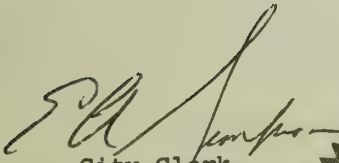
AND WHEREAS, pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

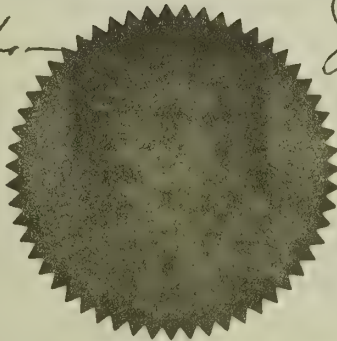
04/24/79

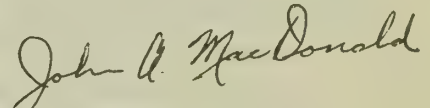
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in schedule "A", and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this 24th day of April A.D. 1979


City Clerk




Mayor

(1979) 17 R.P.D.C. 1, April 24

SCHEDULE "A"

To By-law No. 79 - 126

Municipal Address: 245 Wellington Street North,
Hamilton, Ontario

ALL and Singular that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, formerly in the County of Wentworth, now in the Regional Municipality of Hamilton-Wentworth, being Lot Number one hundred and eighty-three (183) on the West side of Wellington Street in the survey of Lots made for one John Ferguson by Thomas Alan Blythe, P.L.S. SAVING AND EXCEPTING thereout and therefrom the following parcel of land, described as follows: COMMENCING at the southeast angle of said Lot No. 183; THENCE NORTHERLY along the western limit of Wellington Street, thirty-two feet ten inches (32'10") more or less to a point in line with the southern face of the southern wall of the dwelling known as Number 245 Wellington Street North produced easterly to Wellington Street; THENCE Westerly to and along the southern face of the said southern wall and continuing in a straight line to the western limit of said Lot 183. THENCE SOUTHERLY along the western limit of said Lot to the southwest angle thereof; THENCE EASTERLY along said southern boundary to the point of commencement. Plan B.A. 986 registered 25th July, 1977 as 58235 C.D. confirms boundaries of Wellington Street from north side of Hunter Street to South side of Barton Street.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 127

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT
MUNICIPAL NO. 241 WELLINGTON STREET NORTH

WHEREAS a Notice dated the 4th day of October, 1978 was served or caused to be served in accordance with subsection 6 of section 36 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS an Order dated the 22nd day of January, 1979 was served or caused to be served in accordance with subsection 6 of section 36 of the said Act and registered in the proper registry office or land titles office in accordance with subsection 21 of section 36 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with subsection 17 of section 36 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with section 21 of the said Act the corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

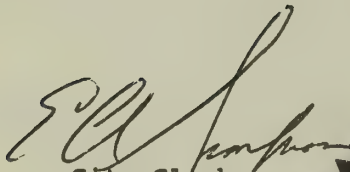
AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

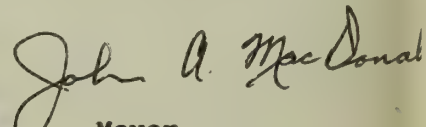
AND WHEREAS, pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in schedule "A", and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this 24th day of April A.D. 1979


City Clerk


Mayor



(1979) 17 R.P.D.C. 1, April 24

SCHEDULE "A"

To By-law No. 79- 127

Municipal Address: 241 Wellington Street North,
Hamilton, Ontario

ALL and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth, and being composed of part of Lot Number 183 in JOHN FERGUSON'S SURVEY being registered plan No. 287 in the said City of Hamilton and which said parcel or tract can be more particularly described as follows, that is to say:

COMMENCING at a stake planted at the intersection of the division line between Lots Numbers 183 and 184 within the westerly limit of Wellington Street;

THENCE westerly along the said division line between lots numbers 183 and 184, 107 feet 6 inches to a stake planted in the westerly limit of Lot Number 183;

THENCE northerly along the westerly limit of the said Lot No. 183, 15 feet 11 inches to a joint in a line produced westerly of the centre line of a party wall between dwellings numbers 241 and 243 Wellington Street North;

THENCE easterly along the line being the production westerly of the previously mentioned centre line of the party wall between dwellings nos. 241 and 243 Wellington Street North and continuing easterly thereon, 107 feet 6 inches to the westerly limit of Wellington Street;

THENCE southerly along the westerly limit of Wellington Street, 16 feet 6½ inches to the place of beginning.

On the said lands is said to be erected an attached insulbrick dwelling known as No. 241 Wellington Street North.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 128

To Enact:

The Fireworks By-law

Respecting:

PROHIBITION AND REGULATION OF FIREWORKS

WHEREAS paragraphs 31 and 32 of subsection 1 of section 354 of The Municipal Act, R.S.O. 1970, Chapter 284 provide that:

354. By-laws may be passed by the Council of all municipalities:

31. For regulating the sale of fireworks and for prohibiting the sale of fireworks on any day or days during the year or to any person under such age as the by-law may prescribe.
32. For prohibiting or regulating the setting off of fireworks in the municipality or in any defined area or areas thereof and for requiring a permit for the holding of fireworks displays and prescribing the conditions under which fireworks displays may be held under such permit.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this By-law,

- (a) "Chief of Police" means the Chief of Police of the Police Force of The Regional Municipality of Hamilton-Wentworth;
- (b) "Fire Chief" means Chief of the Fire Department of the City;
- (c) "City" means The Corporation of the City of Hamilton;
- (d) "Display firework" means a manufactured pyrotechnic device that,
 - (i) is not classed as shop goods under this By-law;
 - (ii) is a high hazard firework that presents a special hazard to persons and is generally used for recreation and includes rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illumination, set pieces and pigeons;

producing spectacular effects of light or sound of such a nature that it is not classed under this By-law as shop goods;

- (e) "family firework" means a pyrotechnic device producing quantities or effects of light, sound or smoke by the combustion of explosive or flammable composition, but does not include,
 - (i) firecrackers;
 - (ii) articles or devices not shop goods, under this By-law;
- (f) "firecracker" means a pyrotechnic device that explodes instantaneously when ignited and does not make any subsequent display or visible effect after the explosion,
 - (i) and includes devices commonly known as Chinese firecrackers, sky rockets, torpedoes and cannon firecrackers;
 - (ii) but does not include,
 - (a) paper caps containing not in excess of an average of twenty-five one-hundredths of a grain of explosive used per cap, or device for use with such caps;
 - (b) safety flares and marine rockets;
- (g) "permit" means a licence permitting the holding of a fireworks display issued by the licensing committee;
- (h) "pyrotechnic firework" includes firecrackers;
- (i) "sale" means retail sale;
- (j) "retail sale" means a sale for the purpose of consumption or use and not for resale;
- (k) "shop" means a building or part of a building, booth, stall or place where goods are exposed or offered for sale;
- (l) "shop goods" means low hazard fireworks that are relatively innocuous in themselves and are not liable to explode violently or all at once and includes firework showers, fountains, golden rain, lawn lights, pin wheels, Roman Candles, sparklers, Christmas crackers, volcanoes and mines.

PART 1

PYROTECHNIC FIREWORKS

2. (1) No person shall offer for sale, cause to be sold, or sell any pyrotechnic fireworks.

(2) No person shall set off or cause to be set off any pyrotechnic fireworks.

PART 2

FAMILY FIREWORKS

3. No person shall offer for sale, cause to be sold, or sell family fireworks unless prior to sale, the fireworks are kept and maintained in a closed container or receptacle.

4. No person shall exhibit or display family fireworks that are exposed, or may be exposed, to the direct action of the sun's rays.

5. No person who offers for sale any family fireworks shall, at any time, keep the family fireworks in any location in a shop unless the location is designated and posted as a no smoking area.

6. (1) No person shall offer for sale, cause to be sold or sell family fireworks except on the following days:

(a) Victoria Day;

(b) each of the six business days immediately preceding Victoria Day.

(2) No person shall offer for sale, cause to be sold or sell family fireworks to any person under the age of sixteen years.

7. No person shall set off family fireworks except on Victoria Day.

8. No person under the age of sixteen years shall set off family fireworks except under the direct, immediate and physical supervision of and control of a person over the age of eighteen years.

9. No parent or guardian of any person under the age of sixteen years shall allow or permit that person to set off family fireworks except under the direct, immediate and physical supervision of a person over the age of eighteen years.

10. No person over the age of eighteen years shall set off or shall have a display of family fireworks on any land other than that owned by him, or upon which he permanently resides, except where the owner or person in charge or control of the land provides written permission for the setting off or the holding of a display of family fireworks.

11. No person shall set off family fireworks,

(a) into, or

(b) inside of,

any building, accessory building or structure, or any vehicle.

12. No person shall set off or continue to set off family fireworks or shall display family fireworks that create or that may create an unsafe condition as regards danger from fire or from risk of accident at or in respect of,

(a) any place, location or site;

(b) person, property or thing.

13. No person shall set off family fireworks,

(a) into; or

(b) in; or

(c) on,

any highway, street, lane, square or other public place which the public or any member thereof uses or may use.

PART 3

DISPLAY FIREWORKS

14. Any person over the age of twenty-one years, duly authorized under The Explosives Act (Canada) and approved thereunder as a Display fireworks supervisor by the Chief Inspector of Explosives, may make application in writing to the licensing committee for a permit for the purpose of setting off or of holding a display of Display fireworks.

15. Every application for a permit shall contain such information as the licensing committee may require including the date, time and location or site of the setting off or the holding of a display of Display fireworks.

16. Every application shall be made not less than fourteen days before the setting off or the holding of the display of Display fireworks.

17. The licensing committee may issue a permit to set off or to display Display fireworks.

18. A permit may be issued after receipt by the licensing committee of a report of the Fire Chief and of the Chief of Police.

19. The permit shall specify the date, time and location or site for the setting off or for the display of Display fireworks.

20. No person shall set off or shall hold a display of Display fireworks without first having obtained a permit from the licensing committee.

21. A permit issued under this Part is not transferable from the person to whom it is issued to any other person.

22. No person shall offer for sale, cause to be sold or sell Display fireworks unless prior to sale, the fireworks are kept and maintained in a closed container or receptacle.

23. No person shall exhibit or display Display fireworks that are exposed or may be exposed to the direct action of the sun's rays.

24. No person shall offer for sale, cause to be sold or sell Display fireworks to any person under the age of twenty-one years.

25. No person shall set off or shall hold a display of Display fireworks at a date, time, location or site other than that specified in the permit.

26. Every person to whom a permit is issued to set off or hold a display of Display fireworks shall,

- (a) provide and maintain fully operational, fire extinguishing equipment ready for immediate use and present at all times and for a reasonable period thereafter, at the location or site of the setting off or holding of a display of Display fireworks; and
- (b) conform to The Explosives Act (Canada) for the setting off or holding of a display of Display fireworks.

27. No person shall set off or shall hold a display of Display fireworks except under the direct, immediate and physical supervision of the person to whom a permit is issued.

28. No person to whom a permit is issued shall omit to remove at the termination of the setting off or the holding of a display,

- (a) all unused or partly used Display fireworks; and
- (b) all debris remaining after use or partial use of Display fireworks.

29. No person shall set off Display fireworks,

- (a) into; or
- (b) inside of; or
- (c) closer than twenty-five feet to,

any building, accessory building or structure, or any vehicle.

30. No person shall set off or continue to set off Display fireworks or shall display Display fireworks that create or that may create an unsafe condition as regards danger from fire or from risk of accident at or in respect of,

- (a) any place, location or site;
- (b) person, property or thing.

31. No person shall set off Display fireworks,

- (a) into; or
- (b) in; or
- (c) on,

any highway, street, lane, square or other public place which the public or any member thereof uses or may use.

PART 4

GENERAL

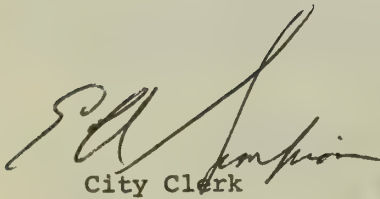
32. No provision of this By-law shall oblige the licensing committee to issue a permit.

33. Every person who contravenes any provision of this By-law is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.00, exclusive of costs.

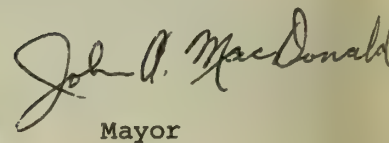
34. Subsection 2 of section 15 of Streets By-law No. 9329, passed on the 9th day of May, 1961, is repealed.

35. This By-law may be cited as The Fireworks By-law.

PASSED this 24th day of April A.D. 1979.


City Clerk




Mayor

(1979) 4 R.L.F.C. 14, April 10

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 129

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 237 LOCKE STREET SOUTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as schedule "A" are amended to the extent only of the following variances as special requirements:

1. Subsection 12 of section 18 of By-law No. 6593 shall not apply.
2. Notwithstanding sections 14(1)(viii) and 13(1)(vii) of By-law No. 6593, a restaurant use shall not exceed a seating capacity of 12 persons lawfully accommodated.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "H" District provisions,

subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-638".

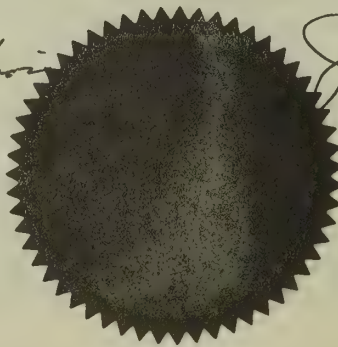
4. Sheet No. W-13 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-638".

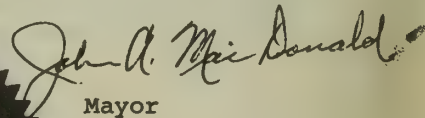
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

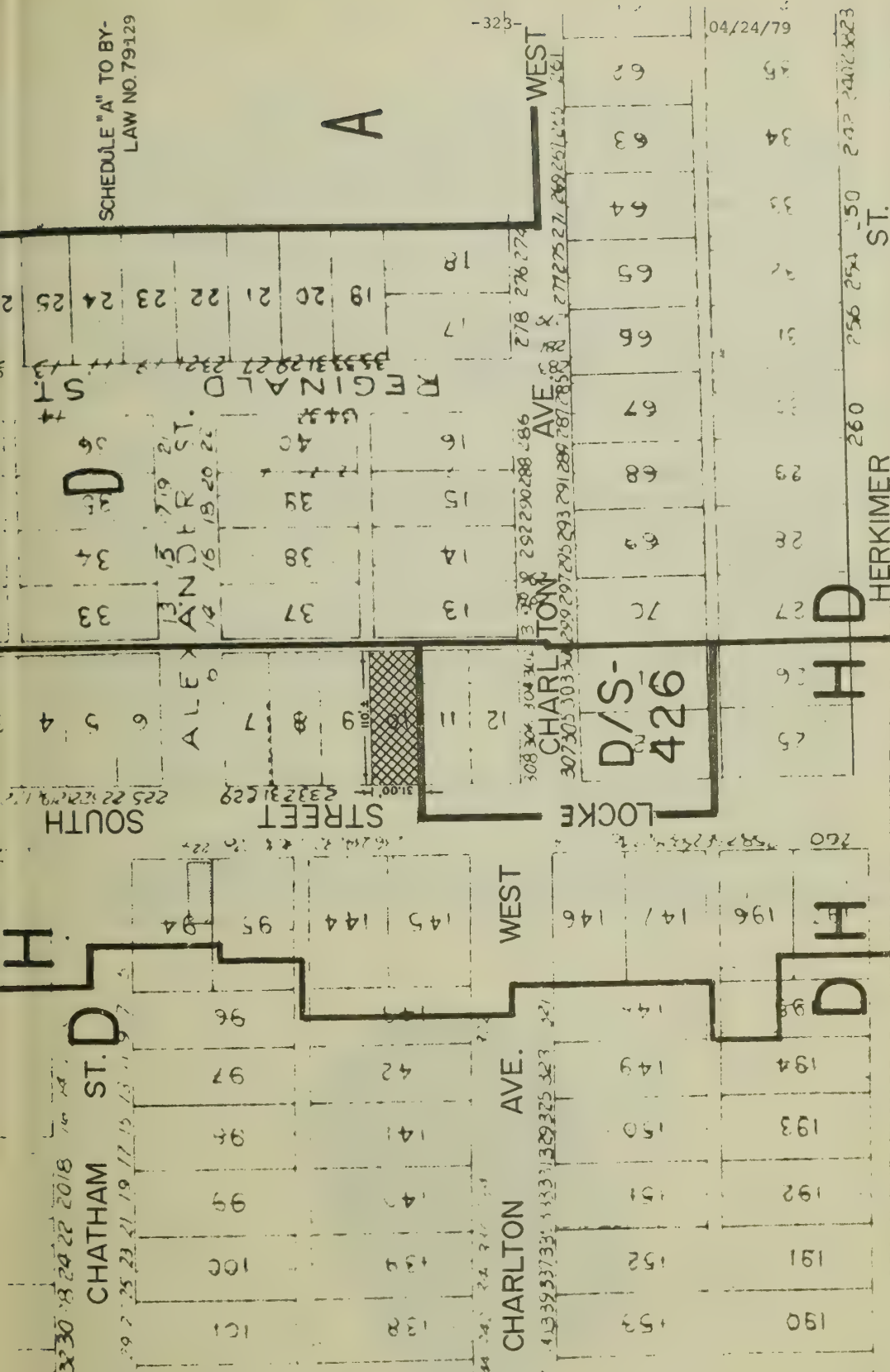
PASSED this 24th day of April A.D. 1979.


City Clerk




Mayor

SCHEDULE "A" TO BY-LAW NO. 79-129



LEGEND

Lands on Part of Sheet No. W-13 of The Zoning District Maps to be regulated by



By-law No. 79-129



Scale: 1"=100'

Bill No. 127

This is Schedule "A" to By-law No. 79-129 passed the 24th day of April, 1979.

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 130

To Authorize the Execution of an Agreement Concerning
Rent Supplement with Ontario Housing Corporation

WHEREAS, pursuant to The Housing Development Act, R.S.O. 1970, Chapter 213, as amended, a municipality, with the approval of the Minister of Housing, may enter into an agreement with any person or governmental authority for sharing or contributing to the capital cost or the maintenance cost of a housing project;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to enter into an agreement with Ontario Housing Corporation pursuant to the said The Housing Development Act concerning rent supplements to assist individuals, senior citizens, and families of low income to obtain privately-owned rental accommodation in the City of Hamilton;

AND WHEREAS a proposed agreement with Ontario Housing Corporation dated January 1, 1976, provides that Ontario Housing Corporation will pay the operating expenses of the said accommodation, and the City will reimburse Ontario Housing Corporation to the extent of seven-and-a-half (7½%) per cent of the operating expenses.

NOW THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

That the Mayor and the City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, the agreement with Ontario Housing Corporation mentioned above.

PASSED this 24th day of April 1979.


City Clerk John A. Mac Donald
Mayor

Bill No. 130

BY-LAW No. 79- 131

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 24TH DAY OF APRIL, A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

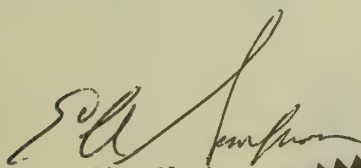
AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

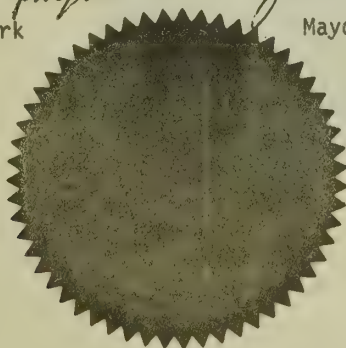
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 24th day of April A.D., 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 132

To Repeal:

Zoning By-law No. 77-130

Respecting:

IVOR WYNNE STADIUM

WHEREAS By-law No. 77-130, passed on the 10th day of May, 1977, proposed to eliminate the sideyard requirements for the lands occupied by the Ivor Wynne Stadium;

AND WHEREAS by Decision and Order dated September 1, 1978 the Ontario Municipal Board did not approve the application of the City of Hamilton.

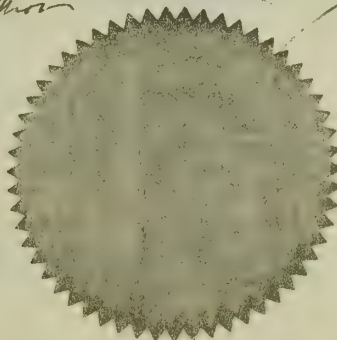
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 77-130 is repealed.

PASSED this 8th day of May A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 133

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT
MUNICIPAL NO. 135 RAY STREET NORTH

WHEREAS a Notice dated the 22nd day of January, 1979 was served or caused to be served in accordance with subsection 6 of section 36 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS an Order dated the 8th day of February, 1979 was served or caused to be served in accordance with subsection 6 of section 36 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with subsection 17 of section 36 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with section 21 of the said Act the corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

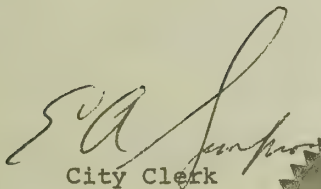
AND WHEREAS, pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

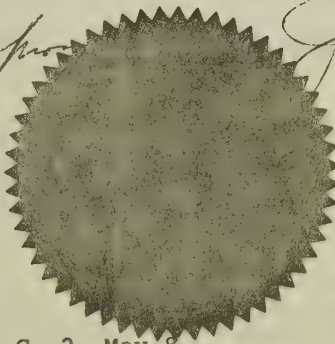
05/08/79

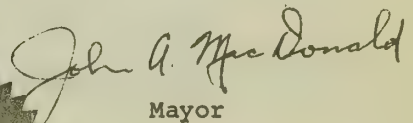
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in schedule "A", and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this 8th day of May A.D. 1979


City Clerk




Mayor

(1979) 18 R.P.D.C. 2, May 8

SCHEDULE "A"

To By-law No. 79 - 133

Municipal Address: 135 Ray Street North,
Hamilton, Ontario.

ALL and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the County of Wentworth and being composed of:

FIRSTLY: Lot 25 on Locomotive Street, now Ray Street in the Block bounded by York Street, Concession Street, now Barton Street, and Railway Street, now Magill Street.

SECONDLY: The southerly 13 feet more or less from front to rear of Lot 24 to the north thereof, according to plan 23, Alan Napier MacNab Survey.

THIRDLY: Parts of Lots 1 and 2 fronting on the north side of York Street according to plan of survey made for Sir Alan MacNab and registered as Plan 23 and premising that the bearings in this description refer to Ray Street on a course of North 18 Degrees East Commencing at a point in the westerly limit of Ray Street distant from a cross cut in a bricked portion of the sidewalk on the southeastern angle of Lot 2 the said cross being at the intersection of the western limit of Ray Street with the northern limit of York Street a distance of 97 feet 6 inches measured on a course of North 18 Degrees East along the western limit of Ray Street;
Thence North 70 Degrees West, 24 feet 4-1/2 inches;
Thence North 63 Degrees 25 Minutes West, 31 feet to an iron bar planted;
Thence North 49 Degrees 30 Minutes West, 45 feet to an iron bar planted;
Thence Northerly along the Westerly limit of Lot 1 a distance of 23 feet 6 inches more or less to the southwesterly angle of Lot 25;
Thence along the southerly limit of Lot 25, 107 feet 6 inches more or less to the westerly limit of Ray Street;
Thence South 18 Degrees West a distance of 2 feet 6 inches more or less to the place of beginning.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 134

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE, AT
MUNICIPAL NO. 131 RAY STREET NORTH

WHEREAS a Notice dated the 22nd day of January, 1979 was served or caused to be served in accordance with subsection 6 of section 36 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS an Order dated the 8th day of February, 1979 was served or caused to be served in accordance with subsection 6 of section 36 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with subsection 17 of section 36 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with section 21 of the said Act the corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

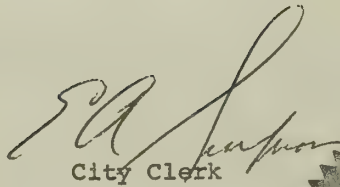
AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

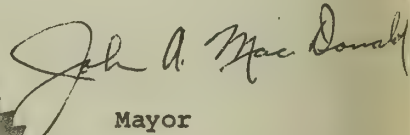
AND WHEREAS, pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

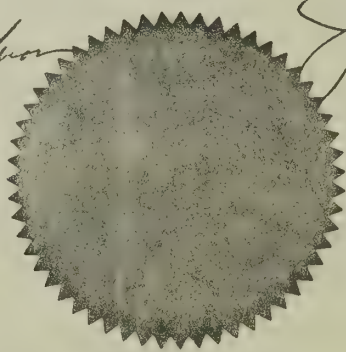
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in schedule "A", and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this 8th day of May A.D. 19 79


City Clerk


Mayor



(1979) 18 R.P.D.C. 2, May 8

SCHEDULE "A"

To By-law No. 79 - 134

Municipal Address: 131 Ray Street North,
Hamilton, Ontario.

ALL and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the County of Wentworth and being composed of:

FIRSTLY: Lot 25 on Locomotive Street, now Ray Street in the Block bounded by York Street, Concession Street, now Barton Street, and Railway Street, now Magill Street.

SECONDLY: The southerly 13 feet more or less from front to rear of Lot 24 to the north thereof, according to plan 23, Alan Napier MacNab Survey.

THIRDLY: Parts of Lots 1 and 2 fronting on the north side of York Street according to plan of survey made for Sir Alan MacNab and registered as Plan 23 and premising that the bearings in this description refer to Ray Street on a course of North 18 Degrees East;

Commencing at a point in the westerly limit of Ray Street distant from a cross cut in a bricked portion of the sidewalk on the southeastern angle of Lot 2 the said cross being at the intersection of the western limit of Ray Street with the northern limit of York Street a distance of 97 feet 6 inches measured on a course of North 18 Degrees East along the western limit of Ray Street;

Thence North 70 Degrees West, 24 feet 4-1/2 inches;

Thence North 63 Degrees 25 Minutes West, 31 feet to an iron bar planted;

Thence North 49 Degrees 30 Minutes West, 45 feet to an iron bar planted;

Thence Northerly along the Westerly limit of Lot 1 a distance of 23 feet 6 inches more or less to the southwesterly angle of Lot 25;

Thence along the southerly limit of Lot 25, 107 feet 6 inches more or less to the westerly limit of Ray Street;

Thence South 18 Degrees West a distance of 2 feet 6 inches more or less to the place of beginning.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 135

To Authorize:

THE REPAIR OF BUILDINGS AND STRUCTURES LOCATED AT
MUNICIPAL NO. 202 RAY STREET NORTH

WHEREAS a Notice dated the 17th day of November, 1978 was served or caused to be served in accordance with subsection 6 of section 36 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS an Order dated the 15th day of January, 1979 was served or caused to be served in accordance with subsection 6 of section 36 of the said Act and registered in the proper registry office or land titles office in accordance with subsection 21 of section 36 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with subsection 17 of section 36 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74;

AND WHEREAS in accordance with section 21 of the said Act the corporation has the right to repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to repair the buildings and structures;

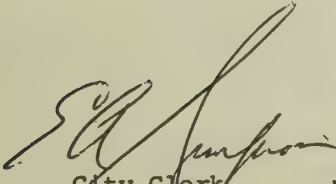
AND WHEREAS pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to repair the buildings and structures, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

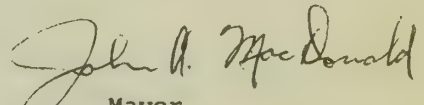
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

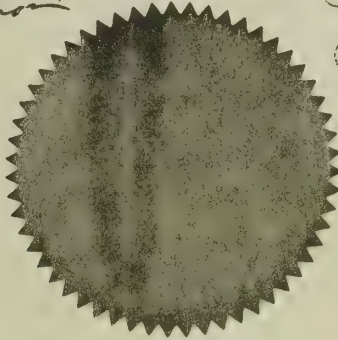
1. The Building Commissioner is hereby authorized and directed to provide for the repair of the buildings and structures on the land more particularly described in schedule "A".

2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this 8th day of May A.D. 1979


City Clerk


Mayor



(1979) 18 R.P.D.C. 1, May 8

To By-law No. 79- 135

Municipal Address: 202 Ray Street North,
Hamilton, Ontario.

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and being composed of parts of lots 15 and 16 on the east side of Locomotive Street according to the survey made for David Murray, Plan 229 being, more particularly described as follows:

COMMENCING at a point on the easterly limit of Locomotive Street distant southerly from the north west angle of lot 16, Sixteen feet and Eight inches (16' 8");

THENCE easterly parallel with the northerly limit of said lot 16, Ninety-seven feet (97') more or less to the easterly limit of said lot;

THENCE southerly along the said easterly limit Thirty-six feet and Six inches (36' 6") more or less to the northerly limit of the lands conveyed by Samuel and Dora Goldberg to one Shea;

THENCE westerly along the northerly limit of said Shea's lands Ninety-seven feet (97') more or less to the easterly limit of Locomotive Street;

THENCE northerly along the easterly limit of Locomotive Street Thirty-six feet and Six inches (36' 6") more or less to the place of beginning.

SUBJECT TO a right of way as at present enjoyed over the northerly Four feet (4') of said land conveyed to the tenants, occupants and owners of the northerly Sixteen feet and Eight inches (16' 8") of the said lot 16.

AND SUBJECT TO a right of way Four feet and Six inches (4' 6") in width and extending back from the easterly limit of Locomotive Street Forty-two feet (42') over the southerly Four feet and Six inches (4' 6") of the lands herein conveyed or intended so to be in common with the tenants, owners and occupants of that part of lot 15 lying immediately to the south of and contiguous to the lands hereby intended to be conveyed. The lands are presently known as 200 Ray Street North, and 202 Ray Street North, Hamilton.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 136

To Authorize:

THE REPAIR OF BUILDINGS AND STRUCTURES LOCATED AT
MUNICIPAL NO. 200 RAY STREET NORTH

WHEREAS a Notice dated the 17th day of November, 1978 was served or caused to be served in accordance with subsection 6 of section 36 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS an Order dated the 15th day of January, 1979 was served or caused to be served in accordance with subsection 6 of section 36 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with subsection 17 of section 36 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74;

AND WHEREAS in accordance with section 21 of the said Act the corporation has the right to repair the property in the event that the Order has not been complied with;

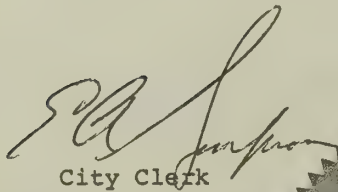
AND WHEREAS it is desirable to repair the buildings and structures;

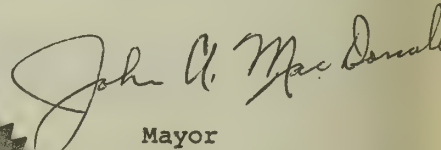
AND WHEREAS pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to repair the buildings and structures, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the repair of the buildings and structures on the land more particularly described in 'schedule "A".
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this 8th day of May A.D. 1979


City Clerk


Mayor



(1979) 18 R.P.D.C. 1, May 8

SCHEDULE "A"

To By-law No. 79 - 136

Municipal Address: 200 Ray Street North,
Hamilton, Ontario.

ALL and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and being composed of parts of lots 15 and 16 on the east side of Locomotive Street according to the survey made for David Murray, Plan 229 being more particularly described as follows:

COMMENCING at a point on the easterly limit of Locomotive Street distant southerly from the north west angle of lot 16, Sixteen feet and Eight inches (16' 8");

THENCE easterly parallel with the northerly limit of said lot 16, Ninety-seven feet (97') more or less to the easterly limit of said lot;

THENCE southerly along the said easterly limit Thirty-six feet and Six inches (36' 6") more or less to the northerly limit of the lands conveyed by Samuel and Dora Goldberg to one Shea;

THENCE westerly along the northerly limit of said Shea's lands Ninety-seven feet (97') more or less to the easterly limit of Locomotive Street;

THENCE northerly along the easterly limit of Locomotive Street Thirty-six feet and Six inches (36' 6") more or less to the place of beginning.

SUBJECT TO a right of way as at present enjoyed over the northerly Four feet (4') of said land conveyed to the tenants, occupants and owners of the northerly Sixteen feet and Eight inches (16' 8") of the said lot 16.

AND SUBJECT TO a right of way Four feet and Six inches (4' 6") in width and extending back from the easterly limit of Locomotive Street Forty-two feet (42') over the southerly Four feet and Six inches (4' 6") of the lands herein conveyed or intended so to be in common with the tenants, owners and occupants of that part of lot 15 lying immediately to the south of and contiguous to the lands hereby intended to be conveyed. The lands are presently known as 200 Ray Street North, and 202 Ray Street North, Hamilton.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 137

To Repeal:

Zoning By-law No. 75-327

Respecting:

LAND LOCATED ON THE EAST SIDE OF JAMES STREET NORTH
BETWEEN WOOD STREET AND BURLINGTON STREET

WHEREAS By-law No. 75-327, passed on the 9th day of December, 1975, rezoned the lands shown on schedule "A" thereto from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "CR-2" (Commercial-Residential) district;

AND WHEREAS in accordance with Item 2(iii) of the 37th Report of the Planning and Development Committee, adopted by City Council on October 14, 1975, application to the Ontario Municipal Board was withheld until land presently owned by the City was acquired by the applicant for the rezoning;

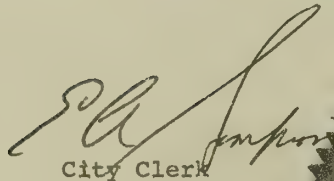
AND WHEREAS Item 5 of the 15th Report of the Planning and Development Committee, adopted by City Council on April 10, 1979, directed that By-law No. 75-327 be repealed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

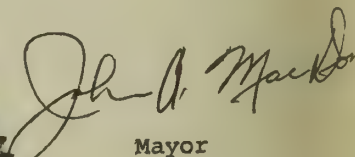
1. By-law No. 75-327 is hereby repealed.

PASSED this 8th day of May

A.D. 1979.


City Clerk




Mayor

(1979) 15 R.P.D.C. 5, April 10
Z.A. 75-47

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 138

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 768 and 770 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-38A and E-38B of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, are amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "C" District provisions applicable to the lands shown as Block 1 and Block 2 on schedule "A" are amended to the extent only of the following variance as a special requirement:

- 1. Notwithstanding section 9(4) of By-law No. 6593, a lot or tract of land shall have a width of at least 35 feet and an area of at least 3,500 square feet within the district.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

- (a) the "C" District provisions,

subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-636".

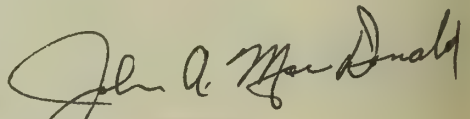
5. Sheets Nos. E-38A and E-38B of the District Maps are amended by marking the lands referred to in section 2 of this by-law, "S-636".

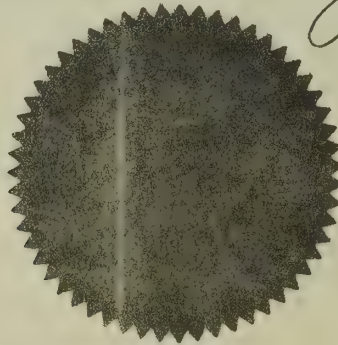
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 8th day of May A.D. 1979.


City Clerk


Mayor



(1979) 12 R.P.D.C. 4, March 27
Denzil Wheeler, Owner
Z.A. 79-10

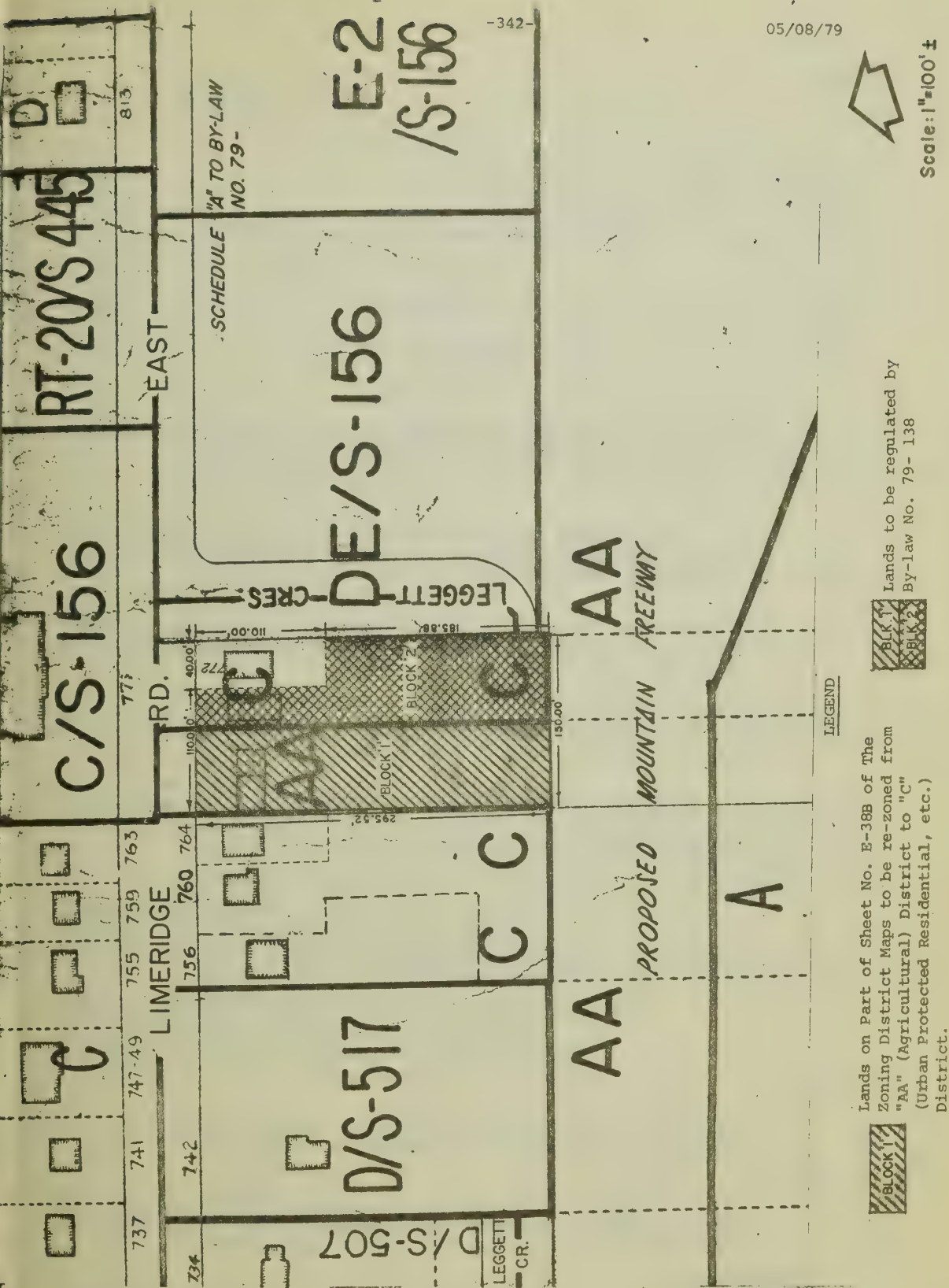
This is Schedule "A" to By-law No. 79-138 passed the 8th day of May, 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

Bill No. 137



Lands on Part of Sheet No. E-38B of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

Lands to be regulated by By-law No. 79-138



LEGEND

05/08/79

Scale: 1"=100'

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 139

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA NORTH OF STONE CHURCH ROAD EAST
AND WEST OF UPPER GAGE AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38C of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "RT-10" (Townhouse) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 1; and
- (b) by changing from "C" (Urban Protected Residential, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The "D" District provisions applicable to the lands referred to in section 1 are amended to the extent only of the following variances as special requirements:

- 1. As to the "D" District provisions applicable to Block 1,
 - (a) Section 10(1)(iii) of By-law No. 6593 shall not apply; and
 - (b) Notwithstanding section 10(3)(ii) of By-law No. 6593, no side yard shall be required along one side of each lot, except that a side yard having a width of at least 4 feet shall be required for that side of a lot flanking a street; and

- (c) Notwithstanding section 10(4) of By-law No. 6593, a lot for a single family dwelling shall have within the district a width of at least 30 feet and an area of at least 3,000 square feet.

2. As to the "D" District provisions applicable to Block 2,

- (a) Section 10(1)(iii) of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

- (a) the "D" District provisions,

subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-629".

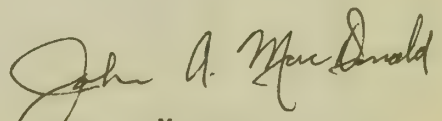
5. sheet No. E-38C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-629".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

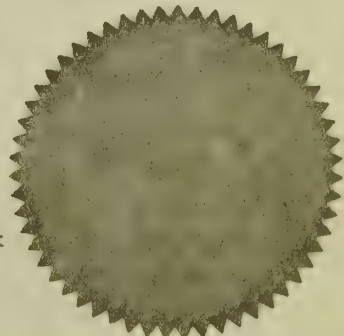
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

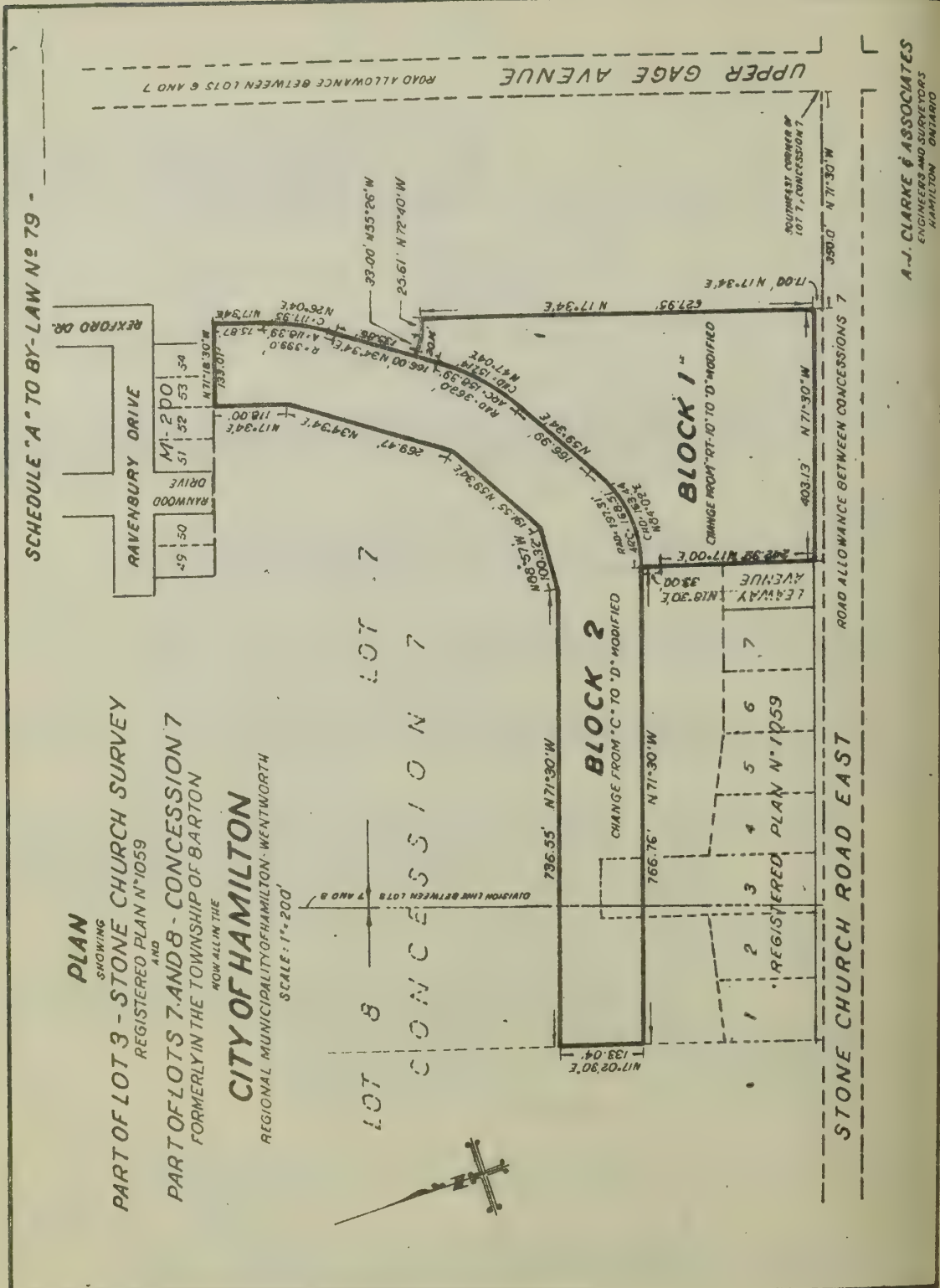
PASSED this 8th day of May A.D. 1979.


City Clerk


Mayor

(1979) 8 R.P.D.C. 1, February 27
R. Shelley Construction Limited,
Canada Permanent Trust, DiCenzo
Construction Limited and Frank Husack
Limited, Owners
Z.A. 78-55





Bill No. 138

This is Schedule "A" to By-law No. 19-139 passed the 8th day of May, 1979.

J.20

City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

Mayor

BY-LAW NO. 79 - 140

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 10 (Stop at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended by adding thereto the following item, namely:-

"Alanson	Eastbound	Grant
Markson	Eastbound	Beston
Blyth	Southbound	Alanson
Erie	Southbound	Alanson
Ontario	Southbound	Alanson'

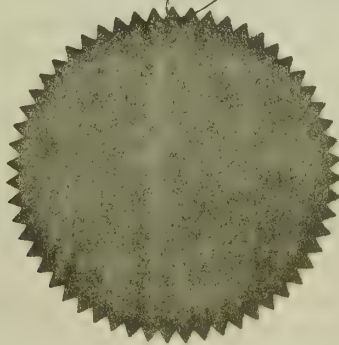
2. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Markland	South	Hess to 68 ft. east".
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PASSED this 8th day of May, A.D. 1979.

E.A. Simpson
City Clerk

John A. MacDonald
Mayor



BY-LAW NO. 79 - 141

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 24 (Parking Meters) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended;

(a) by deleting from Section 5 (Fifteen Minute Limit) the following item, namely:-

"Stirton West Barton to 135 ft. south",

and by adding thereto the following item, namely:-

"Stirton West Barton to 140 ft. south".

(b) by adding to Section 2 (Two Hour Limit) the following item, namely:-

"Augusta North Hughson to John".

2. Schedule 26 (No Parking Areas) is hereby amended;

(a) by deleting from Section A (No Parking Anytime) the following item, namely:-

"Augusta North Hughson to John",

and by adding thereto the following item, namely:-

"Beulah East Hillcrest to South".

(b) by adding to Section B (Loading Zones) the following item, namely:-

"Augusta North 36 ft. 34 ft. west 8:00 AM-6:00 PM".
of Hughson

3. Schedule 27 (Alternate Side Parking) is hereby amended by deleting therefrom the following item, namely:-

"Beulah, West East",
Aberdeen to Hillcrest

and by adding thereto the following item, namely:-

"Beulah, West East".
South to Aberdeen

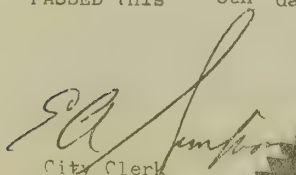
4. Schedule 34 (Sticker Permit Parking) is hereby amended by deleting therefrom the following item, namely:-

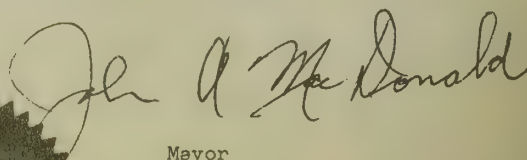
"Hunter North From 55 ft. east of West Ave. to
easterly dead end",

and by adding thereto the following item, namely:-

"Hunter North From 55 ft. east of West Ave. to
88 ft. easterly".

PASSED this 8th day of May, A.D. 1979.


City Clerk


Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 142

To Authorize:

1. The construction of local improvements on an Alleyway first north of King Street, as described in Schedule "A";
2. The special assessment to pay a portion of the cost, upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the City Engineer.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 7 of the Second Report of the Traffic and Engineering Committee on the 30th day of January, 1979;

AND WHEREAS the Council has procured to be made reports, estimates and statements for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 24th day of April, 1979, issue Order No. E 79132, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of an alleyway first north of King Street as a local improvement on petition at an estimated cost of \$37,000.00, and
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$7,110.67 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$37,000.00.
2. The share or portion of the estimated cost of the works in the amount of \$7,110.67 to be borne by the lands abutting directly on the works and the estimated cost per foot to be rated shall be as set out in Schedule "A", provided that the actual rate per foot shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth -
 - (a) to the extent sufficient to provide an amount not exceeding \$7,110.67; and
 - (b) repayable over a term not exceeding fifteen years, chargeable to The Corporation of the City of Hamilton.

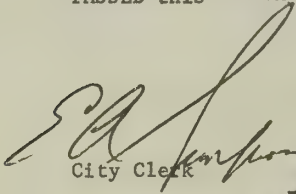
- 2 -

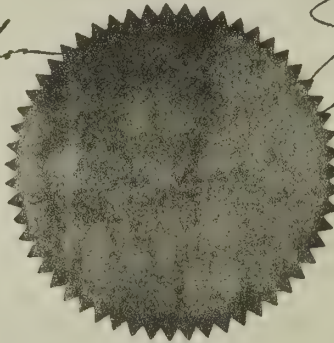
4. The City Engineer is hereby authorized to -

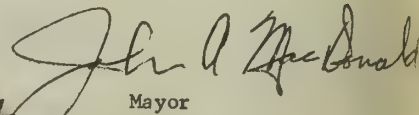
- (a) prepare all necessary plans, specifications and reports required for the construction of the works, and
- (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this 8th day of May A.D. 1979.


City Clerk




Mayor

SCHEDULE "A"

The Construction of an Alleyway, first north of King Street from Belmont Avenue, easterly then northerly to Dunsmure Road at the costs and charges not exceeding those set out below:

City's share	\$29,889.33
Owners' share	<u>7,110.67</u>
Total Estimated Cost	<u><u>\$37,000.00</u></u>

Estimated per foot frontage: \$8.00

Fifteen annual instalments

The Corporation of the City of Hamilton

BY-LAW NO. 79 -143

To Authorize:

1. The construction of a local improvement without petition under Section 12 of The Local Improvement Act on an Alleyway first south of Barton Street between Avondale Street and Cavell Avenue;
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the City Engineer.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 1 of the 32nd Report of the Traffic and Engineering Committee on the 31st day of October, 1978;

AND WHEREAS it is expedient to proceed without petition to undertake as local improvements the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed have not, within one month after first publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has procured to be made reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 24th day of April, 1979, issue Order No. E 79131, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of certain works as local improvements on the initiative plan at an estimated cost of \$38,000.00, and
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$7,521.33 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$38,000.00.
2. The share or portion of the estimated cost of the works in the amount of \$7,521.33 to be borne by the lands abutting directly on the works and the estimated cost per foot to be rated shall be as set out in Schedule "A", provided that the actual rate per foot shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.

- 2 -

3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth -

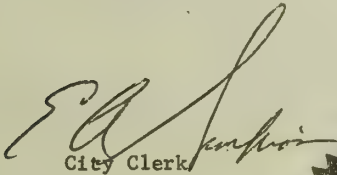
- (a) to the extent sufficient to provide an amount not exceeding \$7,521.33; and
- (b) repayable over a term not exceeding fifteen years chargeable to The Corporation of the City of Hamilton.

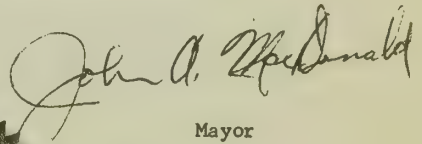
4. The City Engineer is hereby authorized to -

- (a) prepare all necessary plans, specifications and reports required for the construction of the works, and
- (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this 8th day of May A.D. 1979.


City Clerk


Mayor



SCHEDULE "A"

The Construction of an Alleyway, first south of Barton Street between Avondale Street and Cavell Avenue and north south alley to Beechwood Avenue at the costs and charges not exceeding those set out below:

City's share	\$30,478.67
Owners' share	<u>7,521.33</u>
Total Estimated Cost	<u>\$38,000.00</u>

Estimated per foot frontage: \$8.00

Fifteen annual instalments

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 144

To License, Regulate, Govern,
Classify and Inspect, etc.

ADULT ENTERTAINMENT PARLOURS

WHEREAS section 368b(1) of The Municipal Act, R.S.O. 1970, Chapter 284, provides as follows:

368b (1) By-laws may be passed by the councils of all municipalities for licensing, regulating, governing, classifying and inspecting adult entertainment parlours or any class or classes thereof and for revoking or suspending any such licence and for limiting the number of such licences to be granted, in accordance with subsection 3;

AND WHEREAS it is desirable that a by-law be passed for the purpose aforesaid and to implement all other power and authority provided in S. 368b of The Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

PART I

INTERPRETATIONS

1. In this by-law and schedule,

(a) "applicant" means a person who applies for,

- (i) a licence required to be taken out under subsection 1 of section 2; or
- (ii) a licence required to be taken out under subsection 1 of section 3; or
- (iii) a renewal of a licence; or
- (iv) a transfer of a licence;

(b) "attendant" when used in reference to an adult entertainment parlour, refers to a person who provides erotic goods or erotic services, other than an owner or operator;

- (c) "building commissioner" means the Building Commissioner of the city;
- (d) "chief constable" means the chief of police of the Hamilton-Wentworth Regional Police;
- (e) "chief licence inspector" means the chief licence inspector of the city;
- (f) "city" means the City of Hamilton;
- (g) "class of adult entertainment parlour" means a class referred to in section 2 of schedule 1.01;
- (h) "class of licence" means a licence identified by a capital letter of the alphabet corresponding to a class of adult entertainment parlour;
- (i) "constable" means a police constable;
- (j) "council" means the council of the city;
- (k) "effective date" means the date in a written notice described as effective date;
- (l) "fee" means a fee referred to in subsection 1 of section 6;
- (m) "fire chief" means the Chief Fire Prevention Officer of the city;
- (n) "licence" means a licence issued under this by-law;
- (o) "licensee" means the person to whom a licence is issued under subsection 1 of section 2;
- (p) "licence administrator" means the Licence Administrator appointed by the city;
- (q) "licence inspector" means a licence inspector of the city;
- (r) "licensing committee" means The City of Hamilton Licensing Committee;
- (s) "medical officer" means the Medical Officer of Health or a person authorized by him;
- (t) "operator" when used in reference to an adult entertainment parlour, refers to the person who alone, or with others, operates, manages, supervises, runs or controls an adult entertainment parlour and "operate", "operation" and other words of like import or intent shall have the corresponding meaning;
- (u) "owner" when used in reference to an adult entertainment parlour, means a person who alone, or with others, has a right to possess or occupy an adult entertainment parlour or actually does possess or occupy an adult entertainment parlour, and includes a lessee of an adult entertainment parlour or premises upon which an adult entertainment parlour is located;

- (v) "person" includes a firm or corporation to whom or to which the context applies;
- (w) "person authorized by the city" means a licence inspector, an inspector appointed under any by-law of the city, a by-law enforcement officer, a public health inspector and the medical officer and any person authorized by the medical officer;
- (x) "residential district" has the same meaning as in By-law No. 6593;
- (y) "schedule" means a schedule mentioned in section 23.

PART II

LICENCE

2. (1) There shall be taken out by,

- 1.01 every person who, as attendant, carries on or is engaged in a trade or occupation at or in an adult entertainment parlour;
- 1.011 every person who carries on or is engaged in providing, as operator, an adult entertainment parlour;
- 1.012 every person who carries on or is engaged in providing, as owner, an adult entertainment parlour,

a licence from the city authorizing them to carry on their several trades, callings, businesses and occupations in the city, in or upon the class of adult entertainment parlour identified in the licence.

(2) No person mentioned in subsection 1 shall, within the city, carry on or engage in any of the trades, callings, businesses or occupations until a licence has been issued, renewed or transferred to him, entitling him to do so and is in force.

3. No adult entertainment parlour mentioned in subsection 1 of section 2 shall commence to carry on business or continue to carry on business until a licence has been issued or renewed and is in force.

4. Every person required to take out a licence under section 2, shall take out a separate licence for each class of adult entertainment parlour.

5. (1) Every licence shall specify whether the licence is issued under clause 1.01, 1.011 or 1.012 of subsection 1 of section 2 or section 3 of the by-law and the class of adult entertainment parlour referred to in section 2 of schedule 1.01.

(2) Every licence issued to an attendant shall specify the duties of the attendant.

6. (1) Every person shall, upon application for a licence or renewal of a licence or transfer of a licence, pay to the licensing committee the applicable fee set out in columns 2, 3, 4 or 5 of schedule 1.00 for the corresponding class of adult entertainment parlour described in column 1.

(2) No licence shall be issued where the fee is not paid in full at the time of the application.

7. Every applicant shall make a separate application for a licence to the licensing committee.

8. Every applicant shall,

- (a) complete such application forms prescribed by the licensing committee;
- (b) provide the licensing committee with such information as the licensing committee may direct to be furnished;
- (c) provide such information as may be required under schedule 1.01.

9. Upon receipt of an application, the licensing committee shall cause to be made all such investigations as it requires and shall consider the results of such investigations and any other reports before a licence is issued or transferred.

10. The licensing committee shall, in considering the application, take into account the following:

- 1. The character of the applicant.
- 2. Whether the provision of erotic goods or erotic services by an applicant may result in a breach of the law or of this by-law or any other by-law of the city.
- 3. Whether the provision of erotic goods or erotic services by the applicant may be or is in any way adverse to the public interest, having regard to public complaints or the results of any investigation, or both.
- 4. Any other matters which the licensing committee requires to be considered upon such application.

11. If the investigations referred to in section 9 do not disclose any reason to believe that the applicant's character may not be good, or that the provision of erotic goods or erotic services by the applicant may result in a breach of the law or of this by-law or any other by-law of the city, or may be in any way adverse to the public interest, the licensing committee may approve the application and issue the licence.

12. If the investigations referred to in section 9 disclose any reason to believe that the applicant's character may not be good, or that the provision of erotic goods or erotic services by the applicant may result in a breach of the law, or of this by-law or any other by-law of the city, or may be in any way adverse to the public interest, the licensing committee may disapprove of the application and refuse to issue a licence.

13. (1) The licensing committee may suspend a licence or revoke a licence issued to an owner of, or an operator of, or attendant at an adult entertainment parlour,

- (a) where the provision of erotic goods or erotic services by an owner or an operator or an attendant may result, or results in a breach of the law, or of this by-law or of any other by-law of the city;
- (b) where, in the opinion of the licensing committee, the provision of erotic goods or erotic services by an owner or an operator or an attendant may be or is in any way adverse to the public interest evidenced by public complaints, or by any adverse report consequent upon any investigation or both;
- (c) on such reasonable grounds as may be determined by the licensing committee.

(2) The licensing committee may suspend a licence for such period of time as it may determine.

14. (1) The licence administrator shall, on behalf of the licensing committee, sign all licences and his signature may be printed or mechanically reproduced upon each licence issued.

(2) The licence shall be in such form and have such content as the licensing committee may from time to time determine.

15. (1) Subject to the provisions of schedule 1.01, every person shall keep his licence posted or displayed in a conspicuous place on the premises on which the trade, calling, business or occupation is carried on, as may be required by the licensing committee.

(2) Every licensee shall, when requested by the chief licence inspector, a licence inspector or a constable, produce the licence certificate for inspection or removal, or both.

(3) No person other than a licensee shall use the words "licensed" or "City licensed" or "entertainment parlour" or "licensed entertainment parlour" or any other words to that effect indicating that goods or services are provided in pursuance of or in connection with any trade, calling, business or occupation carried on in an adult entertainment parlour, unless the person has been issued a licence by the licensing committee under this by-law.

16. (1) Where a person shall enjoy a vested right in the issue or renewal of a licence, upon the issue, renewal, transfer, suspension or revocation of the licence, the monetary value of the licence shall be the property of the city.

(2) No licence shall be renewed or transferred except upon consent of the licensing committee in writing and the licensing committee shall not be bound to give such consent.

17. Subject to section 52 of schedule 1.01, no licensee shall promote or carry on his trade, calling, business or occupation under any name or style other than the name or style endorsed upon his licence.

18. (1) The person to whom a licence was issued shall return,

(a) the licence certificate;

(b) any identification card issued by the city,

where a licence is not renewed or upon suspension or revocation of the licence within twenty four hours of the effective date.

(2) The chief inspector, an inspector, or a constable, may enter upon the premises or have access to any property of the licensee for the purpose of receiving or taking or removing the licence certificate.

(3) No person whose licence is revoked, suspended, or not renewed, shall refuse to deliver the licence certificate and the identification card to the chief inspector, an inspector, or a constable upon demand.

19. (1) The chief licence inspector, a licence inspector, a constable, the medical officer or a public health inspector may at all times inspect the adult entertainment parlour.

(2) The chief licence inspector, a licence inspector, a constable, the medical officer or a public health inspector may at all times inspect,

(a) goods, chattels, articles or material of any sort, or building or structure; or

(b) books, records, documents or any paper or writing,

used for or in connection with and upon the adult entertainment parlour.

(3) The chief licence inspector, a licence inspector, a constable, the medical officer or a public health inspector may at any time remove any paper, document, record book or other writing for inspection or review or for use in the courts.

20. (1) No person shall hinder, obstruct, molest or interfere with, or attempt to hinder, obstruct, molest or interfere with the chief licence inspector, a licence inspector, a constable, the medical officer or a public health inspector in the exercise of his powers or duties under this by-law, or a by-law of the city.

(2) Every person shall furnish all necessary means in his power to facilitate entry, inspection, examination, testing or inquiry by the chief licence inspector, a licence inspector, a constable, the medical officer or a public health inspector in the exercise of his powers and duties under this by-law, or a by-law of the city.

(3) No person shall neglect or refuse to produce any books, records, papers, letters, copies of letters, licence certificates, licence identification cards, documents or any other writings of any nature, and any tangible personal property as may be required by,

(a) the licensing committee;

(b) the chief licence inspector, a licence inspector, a constable, the medical officer or a public health inspector in the exercise of his powers and duties under this by-law, or a by-law of the city.

(4) No person shall furnish false information to, or refuse or neglect to furnish information required by, the licensing committee or the licence administrator, or the chief licence inspector, or a licence inspector, or a constable, or the medical officer or a public health inspector.

21. Where an offence is alleged to have been committed contrary to any provision of this by-law and any provision or regulation in a schedule, the chief licence inspector or a licence inspector or a constable observing same may leave with the licensee or his employee, servant, agent, or representative, a serially numbered tag bearing the address of the adult entertainment parlour from which the trade, calling, business or occupation is carried out.

22. Any person upon presentation of the tag may within 48 hours of the date on the tag, exclusive of Sundays and holidays, pay a penalty out of court in respect of the alleged offence, in an amount as follows:

1. For the first alleged offence, an amount of \$100.00.
2. For the second alleged offence, an amount of \$500.00.
3. For the third alleged offence, an amount of \$1,000.00.

23. The following schedules are hereto annexed and form part of this by-law:

1. Schedules numbered 1.00 and 1.01.

24. (1) Every person who contravenes any provision of this by-law and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and on summary conviction is liable to a fine not exceeding \$10,000, or to imprisonment for a term not exceeding one year, or to both.

(2) Where a corporation is convicted of an offence under subsection 1, the maximum penalty that may be imposed on the corporation is \$25,000 and not as provided therein.

25. If what is known as "Daylight Saving Time" has been generally adopted in the city for any period of the year under any Statute, Order-in-Council, By-law, Resolution or Proclamation, whether the same is effective in law or not, such time shall be held to be the time referred to during the periods in every reference to time in this by-law.

26. (1) The licences for the several trades, callings, businesses or occupations set out in schedule 1.01 to this by-law, unless they are expressed to be for a shorter or longer time, are for one calendar year.

(2) Unless the licences referred to in subsection 1 are sooner revoked or suspended or unless otherwise provided in a schedule, they shall in each case, expire on the 31st day of December in each year.

27. (1) Where a licence is an annual licence, the fee shall be paid for the whole of the calendar year for which the licence is issued.

(2) Where the licence is a licence for any period less than a year, the fee shall be paid for the part of the period for which the licence is issued.

(3) Unless otherwise provided in a schedule, the amount of a licence fee fixed in the schedule, shall be the fee payable for renewal of the licence or transfer of the licence.

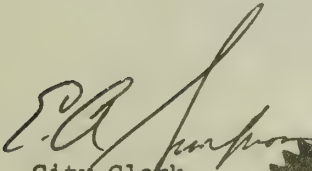
28. (1) The provisions of this by-law shall be read as prescribing additional requirements to the provisions of Health By-law No. 4798.

(2) In the event of a conflict between the provisions of this by-law and Health By-law No. 4798, the provisions of Health By-law No. 4798 shall prevail.

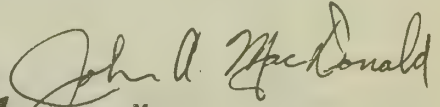
29. In this by-law, unless the context otherwise requires, words importing the singular number shall include the plural and words importing the masculine gender shall include the feminine.

30. The issue, renewal or transfer of a licence for any class of adult entertainment parlour under this by-law, shall not be construed as permission or consent to contravene any provision of The Criminal Code of Canada or any Statute of Ontario or any other By-law of the City of Hamilton.

PASSED this 8th day of May A.D. 1979


City Clerk




Mayor

(1979) 5 R.L.F.C. 1, May 8

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SCHEDULE 1.00

LICENCE FEES
(Section 6)

Class of Adult Entertainment Parlour (Column 1)	Licence Fees for Owner not operating his own Adult Entertainment Parlour (Column 2)	Licence Fees for Owner oper- ating his own Adult Enter- tainment Parlour (Column 3)	Licence Fees for Operator (Column 4)	Licence Fees For Attendant (Column 5)
CLASS "A"	\$ 15.00	\$ 15.00	\$ 15.00	\$ --
CLASS "F"	\$3,000.00	\$3,000.00	\$1,000.00	\$150.00
CLASS "G"	\$3,000.00	\$3,000.00	\$1,000.00	\$150.00
CLASS "H"	\$3,000.00	\$3,000.00	\$1,000.00	\$150.00
CLASS "I"	\$3,000.00	\$3,000.00	\$1,000.00	\$150.00
CLASS "J"	\$3,000.00	\$3,000.00	\$1,000.00	\$150.00
CLASS "K"	\$3,000.00	\$3,000.00	\$1,000.00	\$150.00

SCHEDULE 1.01

ADULT ENTERTAINMENT PARLOURS

1.

In this schedule,

- (a) "adult entertainment parlour" means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations;
- (b) "attendant" means a person referred to in clause 1.01 of subsection 1 of section 2 of the by-law;
- (c) "distributor" means a person in the business of providing erotic goods to a licensee;
- (d) "erotic goods" means goods appealing to or designed to appeal to erotic or sexual appetites or inclinations;
- (e) "erotic services" means services appealing to or designed to appeal to erotic or sexual appetites or inclinations;
- (f) "goods" includes magazines;
- (g) "non-erotic goods" means goods as defined in clause (f) and any other goods of any kind whatsoever that do not appeal and are not designed to appeal to erotic or sexual appetites or inclinations;
- (h) "non-erotic services" means services as defined in clause (m) and any other services of any kind whatsoever that do not appeal and are not designed to appeal to erotic or sexual appetites or inclinations;
- (i) "operator" means a person referred to in clause 1.011 of subsection 1 of section 2 of the by-law;
- (j) "owner" means the person referred to in clause 1.012 of subsection 1 of section 2 of the by-law;
- (k) "to provide" when used in relation to goods, includes to sell, offer to sell, or display for sale, by retail or otherwise, such goods and "providing" and "provision" have corresponding meanings;
- (l) "to provide" when used in relation to services includes to furnish, perform, solicit, or give such services and "providing" and "provision" have corresponding meanings;
- (m) "services" includes activities, facilities, performances, exhibitions, viewings and encounters;

- (n) "services designed to appeal to erotic or sexual appetites or inclinations" includes,
- (i) services of which a principal feature or characteristic is the nudity or partial nudity of any person;
 - (ii) services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.

2. Every owner, operator and attendant shall take out a separate licence for one or more of the following classes of adult entertainment parlours:

- Class "A" -- Authorizing the licensee to provide goods that are magazines appealing to or designed to appeal to erotic or sexual appetites or inclinations;
- Class "F" -- Authorizing the licensee to provide services that are activities other than services referred to in Classes "G", "H", "I", "J" and "K" appealing to or designed to appeal to erotic or sexual appetites or inclinations;
- Class "G" -- Authorizing the licensee to provide services that are facilities appealing to or designed to appeal to erotic or sexual appetites or inclinations;
- Class "H" -- Authorizing the licensee to provide services that are performances appealing to or designed to appeal to erotic or sexual appetites or inclinations;
- Class "I" -- Authorizing the licensee to provide services that are exhibitions appealing to or designed to appeal to erotic or sexual appetites or inclinations;
- Class "J" -- Authorizing the licensee to provide viewings appealing to or designed to appeal to erotic or sexual appetites or inclinations;
- Class "K" -- Authorizing the licensee to provide services that are encounters appealing to or designed to appeal to erotic or sexual appetites or inclinations.

PART 1

CLASS "A" ADULT ENTERTAINMENT PARLOURS

1. For the purpose of this Part, "erotic goods" are goods in respect of which a Class "A" licence is issued.

* 2. Every owner and every operator to whom a Class "A" licence is issued, shall comply with the following regulations:

1. Keep and maintain the erotic goods at least four feet above floor level.
2. Keep and maintain the erotic goods, while on display or available for purchase, in a sealed transparent package or wrapping on which is imprinted in legible writing the name and address of the distributor.
3. Permit only the title of the erotic goods to be exposed to viewing.

PART 2

CLASS "F" ADULT ENTERTAINMENT PARLOURS

3. Not more than -- Class "F" licences shall be issued.

4. For the purpose of this Part, "erotic services" are the services in respect of which a Class "F" licence is issued.

5. Every owner and every operator and every attendant to whom a Class "F" licence is issued, shall comply, mutatis mutandis, with the regulations set out in sections 9 and 10 of Part 3 of this schedule.

PART 3

CLASS "G" ADULT ENTERTAINMENT PARLOURS

6. In this Part,

- (a) "facilities" means premises or things, as the case may be, that promote the ease of any action, operation, transaction or course of conduct or allow an advantage, opportunity or occasion for appealing to or are designed to appeal to erotic or sexual appetites or inclinations.

7. Not more than -- Class "G" licences shall be issued.

8. For the purpose of this Part, "erotic services" are services in respect of which a Class "G" licence is issued.

9. Every owner and every operator to whom a Class "G" licence is issued, shall comply with the following regulations:

1. Post in large and clear writing and in a conspicuous place readily viewed by persons entering the premises, the maximum number of persons that may be lawfully accommodated in the adult entertainment parlour at any one time.
2. Set forth no explanation or description of erotic services provided in the adult entertainment parlour except at or in the immediate area where such services are provided.
3. Not employ an attendant, or contract for the services of an attendant, where the attendant provides services to any other owner or operator of any other adult entertainment parlour.
4. Not permit the door to any room or cubicle or part of the premises where erotic services are or may be provided to be equipped or constructed with or used with,
 - (a) a locking device of any kind; or
 - (b) with any other device, structure, or any other thing,

which could delay or hinder anyone from entering or obtaining access to such room or cubicle or part of the premises.

5. Make available to any customer requesting same, a depository for the safe keeping of valuables or other property and give to the customer a serially numbered receipt specifying the nature of the valuables or other property deposited.
6. Carefully search the adult entertainment parlour immediately upon completion of providing services, for any valuables or other property lost or left therein by any customer and deliver forthwith the valuables or other property found to the owner or operator.
7. Return all valuables or other property to the customer upon demand, upon the customer signing a receipt therefor.

8. Deliver forthwith all valuables and other property left on the premises,
 - (a) to the owner thereof; or
 - (b) to the chief constable if the owner cannot be found, together with all such information in his possession regarding the valuables or other property.
9. Not provide or permit erotic service to any person who is, or appears to be, under the age of eighteen years.
10. Not permit any person who is actually or apparently under the age of eighteen years to enter into or remain in or upon the adult entertainment parlour.
11. Cause every attendant and every employee to submit to such medical examinations and tests as the medical officer may require from time to time.
12. Cause every attendant not to provide erotic services where the owner or the operator is not within the adult entertainment parlour during business hours.
13. Not permit the adult entertainment parlour to open or remain open for business unless at all times during the hours of business either the owner or the operator is upon the premises.
14. Close the adult entertainment parlour when neither the owner or the operator is upon the premises during the hours of business.
15. Cause all doors or other principle means of access into the adult entertainment parlour by any member of the public to be kept unlocked or otherwise unobstructed in order to allow for entrance therein without hindrance or delay.
16. Cause the interior of the adult entertainment parlour to be constructed in such a manner as to prevent viewing from the exterior of the premises.
17. Not permit any person who appears to be intoxicated by alcohol or drugs to enter or remain in the adult entertainment parlour.
18. Not permit any person apparently suffering from any communicable disease, in his opinion, to enter into the adult entertainment parlour.
19. Keep and maintain the adult entertainment parlour in a clean and orderly condition suitable for the purpose for which it is used.

20. Suitably light and ventilate the premises during their use and for one-half hour prior to and after use.
21. Provide the adult entertainment parlour with sanitary facilities, satisfactory to the medical officer.
22. Provide separate sanitary facilities in the adult entertainment parlour for owner, operator, attendants and other employees and separate sanitary facilities for persons to whom erotic services are provided, satisfactory to the medical officer.
23. Maintain the sanitary facilities in a clean and sanitary condition at all times.
24. Not permit or allow snow or ice to accumulate on any fire escape or other means of egress so as to interfere with the proper use of the fire escape or other means of egress.
25. Not permit or allow to be obstructed a highway or part thereof by the users of the premises.
26. Immediately notify or cause to be notified the Fire Department, the chief constable, or a constable or one or more of them in the event of,
 - (a) fire; or
 - (b) panic; or
 - (c) any other occurrence contrary to the enjoyment of the premises by one or more patrons, customers, or other persons reasonably utilizing the premises for the purpose for which it is intended to be used.
27. Keep good order in the adult entertainment parlour.
28. Keep sufficient staff of employees or servants in order to keep good order, satisfactory to the chief inspector.

10. Every operator and every attendant shall comply with the following regulations:

1. Not provide erotic services to more than one owner in respect of more than one adult entertainment parlour.
2. Submit to such medical examinations and tests as the medical officer may require from time to time.

PART 4

CLASS "H" ADULT ENTERTAINMENT PARLOURS

11. In this Part,

- (a) "perform" or "performance" means the carrying out or execution of actions with skill, whether technical, artistic or otherwise, in a manner as to attract the attention by appealing or as being designed to appeal to the erotic or sexual appetites or inclinations.

12. Not more than -- Class "H" licences shall be issued.

13. For the purpose of this Part, "erotic services" are services in respect of which a Class "H" licence is issued.

14. Every owner and every operator and every attendant to whom a Class "H" licence is issued shall comply, mutatis mutandis, with the regulations set out in sections 9 and 10 of Part 3 of this schedule.

PART 5

CLASS "I" ADULT ENTERTAINMENT PARLOURS

15. In this Part,

- (a) "exhibit" or "exhibition" means a public show or display or holding forth of one or more persons or things appealing to or designed to appeal to the erotic or sexual appetites or inclinations.

16. Not more than -- Class "I" licences shall be issued.

17. For the purpose of this Part, "erotic services" are services in respect of which a Class "I" licence is issued.

18. Every owner and every operator and every attendant to whom a Class "I" licence is issued shall comply, mutatis mutandis, with the regulations set out in sections 9 and 10 of Part 3 of this schedule.

PART 6

CLASS "J" ADULT ENTERTAINMENT PARLOURS

In this Part,

- (a) "viewings" means,

- (i) seeing or beholding; or
- (ii) inspecting by the eyes; or
- (iii) looking or regarding,

prerecorded images appealing to or designed to appeal to the erotic or sexual appetites or inclinations;

- (b) "prerecorded images" means visual images that are produced by any medium and are available for viewing by any mode of presentation.

20. Not more than -- Class "J" licences shall be issued.

21. For the purpose of this Part, "erotic services" are services in respect of which a Class "J" licence is issued.

22. Every owner and every operator and every attendant to whom a Class "J" licence is issued shall comply, mutatis mutandis, with the regulations set out in sections 9 and 10 of Part 3 of this schedule.

PART 7

CLASS "K" ADULT ENTERTAINMENT PARLOURS

23. In this Part,

- (a) "encounters" means meetings of at least two persons for the purpose of providing an occurrence wherein the behaviour of the persons has the effect of appealing to or as being designed to appeal to erotic or sexual appetites or inclinations.

24. Not more than -- Class "K" licences shall be issued.

25. For the purpose of this Part, "erotic services" are services in respect of which a Class "K" licence is issued.

26. Every owner and every operator and every attendant to whom a Class "K" licence is issued shall comply, mutatis mutandis, with the regulations set out in sections 9 and 10 of Part 3 of this schedule.

PART 8
GENERAL REQUIREMENTS

27. (1) On every application by an individual for a licence or for the renewal thereof, the applicant shall,

- (a) attend in person and not by his agent; and
- (b) complete the prescribed forms furnished by the licensing committee; and
- (c) furnish such information as the licensing committee may require.

(2) Where an adult entertainment parlour is owned or operated by,

- (a) a partnership, the attendance under subsection 1 shall be by one of the partners; and
- (b) a corporation, the attendance under subsection 1 shall be by an officer of the corporation.

(3) Every applicant for an attendant's licence or for the renewal of a licence, shall submit with his application two passport size photographs,

- (a) one of which shall be attached to the licence; and
- (b) one of which shall be filed with the licensing committee.

(4) Every applicant for an owner's licence shall, at the time of making his application, file with the licensing committee,

- (a) a list showing the names of all operators and attendants; and
- (b) all such persons intended or expected by him to be employed or to perform services.

(5) On every application for an owner's, operator's or attendant's licence by an individual or by a corporation, the applicant shall state,

- (a) if the applicant is an individual, his date of birth;
- (b) if the applicant is a corporation, the date of birth of every shareholder or other person having a beneficial interest of any kind in the shares of the corporate applicant or in any of the corporations referred to in section 43 of this Part.

(6) Every applicant referred to in subsection 5, and every shareholder, partner, shall file with or produce to the licensing committee proof of his age, if required to do so by the licensing committee.

(7) No licence shall be issued unless the licensing committee is satisfied that every such person referred to in subsection 6 is of the full age of eighteen years.

28. (1) Every corporation applying for an owner's or operator's licence shall file with the licensing committee at the time of its application,

- (a) a copy of its incorporating documents duly certified by the issuing authority; and
- (b) a Return in a form supplied by the licensing committee containing a list of all the shareholders of the corporation.

(2) Where the shares of the corporation applying for a licence are held in whole or in part by another corporation, the corporation applying for the licence shall file all such Returns for all corporations owning shares until the names of all living individuals are shown and identified as shareholders of any or all corporations having an interest directly or indirectly in the shares of the applicant corporation.

(3) The Returns mentioned in subsection 2, shall be filed with the licensing committee at the same time as the filing of the application.

29. (1) Every owner or operator that is a corporation shall, in every year, on or before the time when it applies for a renewal of its licence, file with the licensing committee an Annual Return on a form supplied by the licensing committee.

(2) Where a corporation is the holder of an owner's or operator's licence or licences, the corporation shall forthwith notify the licensing committee in writing of all transfers of existing shares and of the issue of any existing or new shares of the capital stock of the corporation, and of any such transaction involving the shares of any corporation.

(3) Where, by a transfer of existing shares, or by an issue of new or existing shares, the controlling interest in a corporation holding one or more owner's or operator's licences is determined by the licensing committee to have changed hands, such licence or licences shall be terminated forthwith, and the licensing committee may issue a new licence or new licences upon payment of the prescribed fee.

(4) Where the shares of the corporation applying for a licence are held in whole or in part by another corporation, the corporation applying for the licence shall file an Annual Return for all corporations owning shares until the names of all living individuals are shown and identified as shareholders of any or all corporations having an interest directly or indirectly in the shares of the applicant corporation.

(5) For the purpose of this section, "shareholder" and any expression referring to the holding of shares includes all persons having a beneficial interest of any kind in the share of the corporation.

30. (1) Persons associated in a partnership applying for an owner's or operator's licence shall file with its application a declaration in writing signed by all the members of the partnership, which declaration shall state,

- (a) the full name of every partner and the address of his ordinary residence; and
- (b) the name or names under which they carry on or intend to carry on business; and
- (c) that the persons therein named are the only members of the partnership; and
- (d) the mailing address for the partnership.

(2) If any member of a partnership applying for a licence is a corporation, such corporation shall for the purposes of section 28 of this Part, be deemed to be a corporation applying for an owner's or operator's licence and if such licence is issued to the partnership such corporation shall, for the purposes of the said section, be deemed to be a corporation which holds an owner's or operator's licence.

(3) Every member of a partnership shall advise the licensing committee immediately in writing of any change in the membership of the partnership and of any other change in any of the particulars relating to the partnership or its business which are required to be filed with the licensing committee.

31. (1) Every person applying for an owner's, operator's or attendant's licence under a name or designation other than his own name or under his own name with the addition of the expression "and company" or some other expression indicating a plurality of members in the firm, shall, at the time of the making of his application, file with the licensing committee a declaration, which declaration shall state,

- (a) his full name and the address of his ordinary residence; and
- (b) any name or designation under which he carries on or intends to carry on businesses, and the date when the name or designation was first used by him; and
- (c) that no other person is associated with him in partnership; and
- (d) the date of his birth; and
- (e) the mailing address for his business.

(2) A person to whom this section relates shall notify the licensing committee immediately of any change in any of the particulars required to be filed with the licensing committee under subsection 1 of this section.

32. (1) Every owner, operator or attendant applying for a licence shall use his own legal name in making such application and subject to subsection 2 of this section, no such licence shall be issued to any person in any name other than his own legal name.

(2) Every owner, operator or attendant intending to use some name or designation other than his own may, at the time of the issue of his licence, or at the time at which he files with the licensing committee notice of intention to use such name or designation, have endorsed on his licence such name or designation.

(3) No owner, operator or attendant shall carry on business under any name or designation other than his own unless he has filed with the licensing committee a notice of his intention to use such name or designation.

(4) No person shall use any name or designation in respect of an adult entertainment parlour or any trade, calling, business or occupation carried on therein without first notifying the licensing committee of such name or designation intended to be used and having such name endorsed upon his licence in accordance with subsection 2.

33. Every applicant for an owner's licence shall file with the licensing committee documentation satisfactory to the licensing committee,

- (a) demonstrating the applicant's right to possess or occupy the premises to be used or used by him as an adult entertainment parlour;
- (b) constituting or affecting any legal arrangement or relationship between the applicant and the registered owner in fee simple of the real property.

34. Every person before operating his own adult entertainment parlour, shall so notify the licensing committee at the time he applies for a licence and his licence shall be so endorsed as owner and operator where the owner ceases to operate his own adult entertainment parlour and he shall before engaging any person as an operator,

- (a) notify the licensing committee; and
- (b) produce his licence certificate to the licensing committee for amendment to delete any reference to "operator".

35. Every owner shall comply with the following regulations:

- 1. Not permit any person other than a licensed operator to operate the adult entertainment parlour.
- 2. Not permit any person other than an employee of such owner or a person with whom the owner has contracted,
 - (a) to operate the adult entertainment parlour; or
 - (b) to provide erotic goods or to provide erotic services in the adult entertainment parlour.

36. Every operator shall comply with the following regulations:

1. Not operate an adult entertainment parlour unless the owner is duly licensed under this by-law.
2. Not operate an adult entertainment parlour unless,
 - (a) he first notifies the licensing committee of the name of the owner whose adult entertainment parlour he intends to operate; and
 - (b) he has endorsed on his licence the owner's name.
3. Not operate any other adult entertainment parlour before he notifies the licensing committee of his intention so to do and has his licence endorsed accordingly.

37. Every attendant shall comply with the following regulations:

1. Not provide any erotic goods or not provide any erotic services unless his licence is posted up throughout the term of his employment as attendant in a conspicuous place in the adult entertainment parlour.
2. Not provide any erotic goods and not provide any erotic services unless the owner or operator, if any, is duly licensed as owner or operator respectively under this by-law.
3. Not perform any duties that are not specified in the licence.

38. Every owner and every operator shall comply with the following regulations:

1. Promote the adult entertainment parlour only by means of signs.
2. Not use more than two signs.
3. Use only a sign that does not exceed four square feet in area.
4. Use signs that are not illuminated or are illuminated by a non-flashing indirect or interior means.
5. Exhibit one sign over the street door or in a lower front window of the premises on the exterior of the premises, satisfactory to the licensing committee, bearing only the following information:

1. The words "Class ____ licensed Adult Entertainment Parlour Licence No. ____", complete with the class designation and licence number inserted therein.

6. Display a sign having a depth of not more than three inches, flat against the exterior portion of a wall or door of the premises, bearing only the following information:
 - (i) owner's proper legal name as shown on the licence;
 - (ii) name, if any, under which the owner carries on, or is engaged in business as endorsed on his licence in respect of the adult entertainment parlour;
 - (iii) address of the adult entertainment parlour;
 - (iv) telephone number of the adult entertainment parlour.
7. Not include any other letters, marks, painting, contrasting colours, symbol, logo, or any mark whatsoever on the signs referred to in paragraph 2.
8. Except as otherwise provided in this section,
 - (i) not in any way or by any means; or
 - (ii) not permit or suffer any person to, advertise or use advertising devices inside or outside the premises, including any printed matter, oral or other communication or thing posted or used, for the purpose of promoting his adult entertainment parlour or the erotic goods and erotic services provided therein.
9. Retain the licence of the attendant in his possession during the term of employment of the attendant and post it up in a conspicuous place in the adult entertainment parlour.
10. Notify the licensing committee in writing within forty-eight hours,
 - (a) of commencement of employment; or
 - (b) of cessation of employment,of an attendant and the full reasons therefor.
11. Ensure that the attendant notifies the licensing committee before the employment commences or so soon thereafter as is reasonably possible.
12. Return the attendant's licence to him upon the termination of his employment.
13. Deposit with the licensing committee a list of all erotic goods and erotic services or class thereof and of the respective fees, charges or other remuneration or consideration for such services and, if such fees, charges, or other remuneration or consideration are based on the computation of time, the hourly rate.

14. Post a list of the erotic goods and erotic services provided, in a conspicuous place in the interior of the adult entertainment parlour plainly visible to any person entering the area of the premises where the goods or the services are provided.
15. Not carry on or permit or acquiesce in the carrying on of any trade, calling, business or occupation by any person in the adult entertainment parlour for which a licence is required under this by-law, without a licence.
16. Not permit any person, other than a licensed attendant, to provide an erotic service as an attendant in pursuance of a trade, calling, business or occupation at the adult entertainment parlour.
17. Retain and keep in legible condition, a copy of all bills and receipts given to customers for at least one year after the erotic goods and erotic services are provided.
18. Keep records and books of account of all business transacted in or by or in respect of the adult entertainment parlour, showing,
 - (a) the amount of the pass receipts for all erotic goods and erotic services;
 - (b) information respecting each attendant including,
 - (i) dates of commencement and termination of employment;
 - (ii) amount of salary, commission or other remuneration paid to each individual;
 - (c) all amounts paid by the owner to the operator or by the operator to the owner.
19. Keep the records and books for at least one year after the information required by paragraph 18 has been entered.
20. Attend before and notify the licence administrator of a change of his address within two days of such change and produce his licence for the change to be entered thereon.
21. Deposit with the licensing committee within seven days of the execution thereof or agreement thereto, a copy of every written contract of service, contract for service, or other document constituting or pertaining to the relationship between,
 - (a) the owner and operator;
 - (b) the owner or operator and the attendant.
22. Make available for inspection by a licence inspector, the original of the contract or other documents referred to in paragraph 21.

23. Retain the original of the contract or document for a period of at least six months after it is terminated.
24. Cease to publish, display or circulate any poster, handbill, card, novelty, notice, newspaper advertisement or other matter used to advertise,
- (a) the adult entertainment parlour;
- (b) erotic goods or erotic services provided in an adult entertainment parlour,
- upon being ordered by the licensing committee in writing so to do.
25. Obliterate, withdraw, remove or destroy, as the case may be, any such poster, handbill, card, novelty, notice, newspaper advertisement or other matter mentioned in paragraph 24 upon being ordered by the licensing committee to cease publication, display or circulation.
26. Deposit with the chief licence inspector a schedule of business hours of the adult entertainment parlour.
27. Not carry on or permit the carrying on of any trade, calling, business or occupation on the premises of the adult entertainment parlour not in accordance with the schedule of business hours referred to in paragraph 28.
- ** 28. Except where otherwise provided in this schedule, close or cause to be closed the adult entertainment parlour at,
- (a) 11:45 o'clock in the afternoon on Saturday and remain closed until 8:00 o'clock in the forenoon of the next following Monday;
- (b) 12:00 o'clock midnight and remain closed until 8:00 o'clock in the forenoon of the next following day.

39. Every owner, operator and attendant shall comply with the following regulations:

1. Not provide erotic goods or erotic services in conjunction with, or accessory to, or ancillary to, or as part of, a trade, business, calling or occupation, the carrying on or the engaging in of which is required to be licensed by any other by-law of the city.
2. Not carry on a trade, calling, business or occupation other than that specified in the licence.
3. Not provide erotic goods and not provide erotic services other than those described in the list of goods or services filed by the owner or operator, with the licensing committee.

4. Not offer to provide or provide any erotic goods or erotic services in an adult entertainment parlour to any person under the age of eighteen years.
5. Not charge, demand, ask or require or permit to be charged, demanded, asked for or required or acquiesce in same for erotic services, any amount other than that set out in the list of fees, charges or other remuneration or consideration filed with the licensing committee.
6. Give to customers before erotic goods or erotic services are provided, an itemized bill for such goods and services and the price to be paid for each item of goods and service.
7. Give to the customer, upon payment of the bill, a written, itemized, serially numbered receipt for the amount paid.
8. Not use any part of the premises of an adult entertainment parlour as a dwelling or for sleeping purposes.
9. Not provide any erotic goods or provide any erotic services in a room, cubicle or other enclosure with a door or other means of access which is equipped, constructed, or used,
 - (a) with a locking device of any kind; or
 - (b) in such a way as to permit the obstruction, hindrance or delay of any person attempting to gain entry thereto.
10. Produce his licence for inspection upon demand by a police constable or the chief licence inspector or the medical officer or a public health inspector.
11. Not permit any person to take, consume, or have liquor or any drugs while upon the premises of the adult entertainment parlour.
12. Be properly dressed, neat and clean in his person, satisfactory to the medical officer or the chief inspector.
13. Be well behaved and civil in all dealings with customers and members of the public.

PART 9

EXEMPTIONS

40. Paragraph 1 of section 39 shall not apply to an owner, operator or attendant providing erotic goods in respect of a Class "A" adult entertainment parlour in conjunction with, or accessory to, or as part of, a trade, business, calling or occupation, the carrying on or the engaging in of which is required to be licensed under schedules 9 and 20 of By-law No. 73-342.

41. Part 8, except sections 31 and 32 and paragraphs 2, 9 and 10 of section 39, shall not apply to the owner, operator or attendant providing erotic goods in a Class "A" adult entertainment parlour.

41. Part 8, except sections 31 and 32 and paragraphs 2, 4 and 10 of section 39, shall not apply to the owner, operator or attendant providing erotic goods in a Class "A" adult entertainment parlour.

42. Paragraph 11 of section 39 shall not apply to a premises or trades, callings, businesses or occupations carried on in a premises licensed under The Liquor Licence Act, 1975.

* Section 2 Amended to Read:

2. Every owner and every operator to whom a Class "A" licence is issued, shall comply with the following regulations:

1. Keep and maintain the erotic goods at least five feet six inches above floor level or behind the sales counter.
2. Keep and maintain the erotic goods, while on display or available for purchase, in a sealed transparent package or wrapping on which is imprinted in legible writing the name and address of the distributor.
3. Permit only the title of the erotic goods to be exposed to initial viewing.

** Section 28 Amended to Read:

28. Except where otherwise provided in this schedule, close or cause to be closed the adult entertainment parlour at,

- (a) 11:45 o'clock in the afternoon on Saturday and remain closed until 8:00 o'clock in the forenoon of the next following Monday;
- (b) 1:00 o'clock in the forenoon and remain closed until 8:00 o'clock in the forenoon of the same day.

Bill No. 144

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 145

To Amend:

By-law No. 73-342

Respecting:

PET SHOPS

WHEREAS paragraph 1 of section 372 of The Municipal Act, R.S.O. 1970, ch. 284 provides that by-laws may be passed by councils of cities,

1. For licensing, regulating and governing the keepers of shops where animals or birds for use as pets are sold or kept for sale;

AND WHEREAS it is desirable to replace the provisions in schedule 9 of By-law No. 10467 with a revised schedule licensing, regulating and governing pet shops.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 9 of By-law No. 10467 is repealed.
2. By-law No. 73-342 is amended by adding thereto the following schedule:

Schedule 23

Pet Shops

1. In this schedule,
 - (a) "animal" includes animal or bird whether or not exotic or wild and fish;
 - (b) "cage" means a cage, tank, container or other receptacle for different species as the case may be;
 - (c) "exotic animal" includes any wild mammal or wild bird or amphibian, reptile, fish or offspring thereof not indigenous to the United States and Canada that is not a pet or raised as a pet, but does not include an animal used for research or at a zoological garden;

- (d) "inspector" includes an inspector of the Society;
- (e) "medical officer" means the Medical Officer of Health of the Hamilton-Wentworth Regional Health Unit;
- (f) "pet shop" means a shop or place where animals or birds for use as pets are sold or kept for sale;
- (g) "pet shop keeper" means a person who keeps a pet shop;
- (h) "Society" means The Hamilton Society for the Prevention of Cruelty to Animals;
- (i) "Veterinarian" means a person registered under The Veterinarians Act;
- (j) "wild animal" includes any vertebrate except fish, that live in a wild or natural state in the United States or Canada and which is not subjected to domestication through selective or controlled breeding.

2. (1) There shall be taken out by every pet shop keeper a licence from the City authorizing the pet shop keeper to carry out his trade, calling, business or occupation in the City.

(2) No person mentioned in subsection 1 shall, within the City, carry on or engage in the sale or offer for sale of any animal or bird until a licence has been issued to him, received by him, or transferred to him, entitling him so to do, and is in force.

(3) Every pet shop keeper shall, upon application for a licence or renewal of a licence, or transfer of a licence, pay to the City the fee fixed by this by-law.

(4) No licence shall be issued where the fee is not paid in full at the time of the application.

3. Every applicant for a pet shop keeper's licence shall take out a separate licence for each pet shop.

4. (1) No pet shop keeper's licence shall be issued, renewed or approved for transfer by the licensing committee unless the applicant,

- (a) has an educational background relating to animal care and husbandry or equivalent practical experience;
- (b) has not been convicted of any offence under sections 400, 401, 402 or 403 of The Criminal Code, or of any similar offence in any other jurisdiction;
- (c) produces the written approval of,
 - (i) the medical officer; and

(ii) the Society,

to the physical content of the shop or place, the conditions of operation and the quality of care.

(2) Notwithstanding subsection 1, where the applicant satisfies the licensing committee that a licence may reasonably be issued to him, a licence may be issued.

(3) Every applicant for a licence, renewal or transfer of a licence, shall provide three sets of professional photographs of the full interior of the shop as may be required by the licensing committee.

(4) Every application or renewal of application or transfer of licence shall, upon receipt, be submitted by the Licence Administrator to the Society for review and comment.

5. Every pet shop keeper shall comply with the following regulations:

1. Permit only persons to operate or manage a pet shop who are qualified or have comparable practical experience, in animal care and husbandry satisfactory to the Society.
2. Permit only persons who are trained to the satisfaction of the Society to attend to the care, feeding and cleaning of animals in the pet shop.
3. Display a sign having in plain letters not less than six inches in height in the English language, the words "Licensed Pet Shop".
4. Display the sign referred to in regulation 3,
 - (a) over the street door; or
 - (b) in the lower front window of the premises; or
 - (c) in a conspicuous place satisfactory to the licensing committee.
5. Maintain the shop or place of business, or any part thereof or any cage or container or receptacle,
 - (a) in a sanitary condition; and
 - (b) in a well ventilated condition; and
 - (c) in a clean condition; and
 - (d) free from offensive odours; and
 - (e) free from dirt, filth, manure, excrement or other offensive matter.
6. Keep the stock of animals in quarters satisfactory to the Society, that are,
 - (a) sanitary; and

- (b) well ventilated; and
 - (c) well bedded; and
 - (d) clean; and
 - (e) at a healthful temperature at all times, required for the particular species of animal;
 - (f) adequately lighted to permit,
 - (i) observation of all animals; and
 - (ii) proper housekeeping.
7. Keep the animals,
- (a) in a clean and healthy condition appropriate to the particular species; and
 - (b) free from infestation, vermin and disease.
8. Keep the animals in cages,
- (a) that cannot be easily overturned or contaminated; and
 - (b) that are equipped with receptacles for food and water.
9. Keep the animals other than birds in cages having floors of either,
- (a) solid construction including metal or other impermeable surface; or
 - (b) wire mesh,
 - (i) with spaces between the wire mesh smaller than the pads of the animal confined therein; and
 - (ii) of a sufficient thickness to support the weight of the animal, without bending; and
 - (iii) so designed to prevent injury to a confined animal.
10. Keep birds in cages having removable metal or other impermeable bottoms of adequate size.
11. Use only cages, containers, or receptacles sufficient in size and height to permit an animal, other than a bird, confined therein to,
- (a) stand normally to its full height; and
 - (b) turn around easily; and
 - (c) to move about easily for the purpose of maintaining its physical well-being; and
 - (d) to lie down in a fully extended position.
12. Permit not more than 20 Budgerigars or Canaries or twenty-five Finches to be contained in a single cage with minimum dimensions of 68.6 cm. (27 in.) by 40 cm. (16 in.) by 78.7 cm. (31 in.).

13. Permit not more than 15 Budgerigars or Canaries or twenty Finches to be contained in a single cage with minimum dimensions of 60 cm. (24 in.) by 35 cm. (14 in.) by 40 cm. (16 in.).
14. Each cage containing birds shall be of sufficient size and dimensions to enable each bird to have an amount of perch space for itself which will permit the bird to fully extend its wings in every direction from its perch.
15. Clean and wash the floor or cage bottom thoroughly at least once each day or more often as may be necessary to comply with regulation 5.
16. Locate all animals, other than fish, in cages in the pet shop in such a way as to provide for,
 - (a) maximum comfort to satisfy the known and established needs for a particular species; and
 - (b) safeguards to prevent extreme environmental changes; and
 - (c) preventing undue direct physical contact with the general public.
17. Provide drinking water to animals at least once each day including Sundays and holidays and more often as may be necessary.
18. Maintain a supply of potable water at all times readily available to the animals other than fish.
19. Feed each animal requiring a daily intake of food at least once every 24 hour period including Sundays and holidays, as may be applicable for each species.
20. Provide food for each animal of sufficient nutritive content for the health and well-being of the species.
21. Not confine incompatible species of animals in the same cage.
22. Display any animal in a shop or display window,
 - (a) only at the rear of the windowed space; and
 - (b) out of draughts; and
 - (c) out of the rays of the sun.
23. Not sell or offer for sale any animal for use as a pet before its normal weaning age.

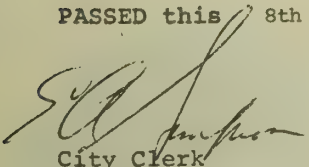
24. Not sell or offer for sale any animal for use as a pet that is dyed or to which dye has been applied either externally or through ingestion.
25. Not sell or offer for sale chicks, ducklings, or other live poultry.
26. Not sell or offer for sale chicks, ducklings, or other live poultry as a bonus to a sale or part of a sale of any other goods, products, or services.
27. Keep for sale, sell or offer for sale only animals that are not,
 - (a) non human primates;
 - (b) North American animals, excluding fish, that are,
 - (a) wild by nature; or
 - (b) on the endangered species list,unless the animals were bred in captivity.
28. Not sell or offer for sale any sick or diseased animal.
29. Not sell or offer for sale any animal that exhibits,
 - (a) obvious signs of infectious disease, including distemper, hepatitis, leptospirosis and rabies;
 - (b) obvious signs of nutritional deficiencies including rickets and emaciation;
 - (c) obvious signs of severe parasitism sufficient to influence the general health of the animal;
 - (d) obvious fractures or congenital deformities affecting the general health of the animal.
30. Provide for the examination and treatment of each animal in a separate quarantine area within 24 hours of the onset of the sickness or disease referred to in paragraph 28 or the obvious signs referred to in paragraph 29, by a Veterinarian or qualified person experienced in the care and treatment of the species concerned.
31. Sell or offer for sale only animals that are not exotic animals or wild animals, except exotic animals that have been imported under existing legislation and which have met the provisions of the Health of Animal Division of the Department of Agriculture.

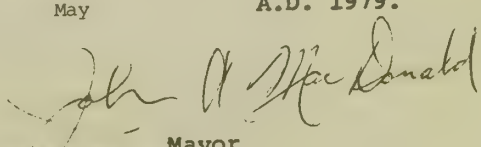
32. Keep a register in the English language, written in ink in plain legible handwriting, containing the following information, entered into the register at the time an animal comes into the possession of the pet shop keeper:
 1. Name and address of supplier or other person from whom the animal is purchased or otherwise obtained.
 2. Date of purchase and sale of the animal or other acquisition.
 3. A full description of,
 - (a) each dog and cat;
 - (b) each shipment or supply of animals other than dogs and cats.
33. Retain the register in good condition for a period of 12 months after each transaction.
34. Not mutilate or destroy the register.
35. Give to each person who purchases a dog or cat,
 - (a) a receipt containing the following information,
 1. name and address of the vendor and purchaser;
 2. date of sale;
 3. sale price;
 4. breed or crossbreed;
 5. sex, age, and description, including colour and placing of markings, if any;
 - (b) a valid certificate of health from a Veterinarian;
 - (c) a licence application.
36. Notify the Society, in writing, not later than the 10th day of each month, of the number of dogs and cats sold in the preceding month.

6. The fee required to be paid in accordance with section 2 of this schedule shall be as follows:

1. Pet Shop Keeper \$15.00.

PASSED this 8th day of May A.D. 1979.


City Clerk


Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 146

To Amend:

Licensing By-law No. 73-342

Respecting:

SALVAGE AND SECOND-HAND GOODS BUSINESSES

WHEREAS schedule 17 of By-law No. 73-342, passed on the 18th day of December, 1973 and in force on the 1st day of January, 1974, provides for the licensing of salvage and second-hand goods businesses in accordance with paragraph 1 of section 378 of The Municipal Act, paragraph 3 of section 385 of the said Act, paragraph 1 of section 380 of the said Act and paragraph 117 of subsection 1 of section 354 of the said Act;

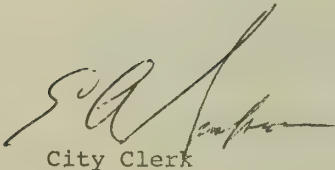
AND WHEREAS it is desirable for the purpose of enforcement to define more precisely when salvage or second-hand goods are acquired by persons carrying on or engaged in the business of salvage shop, salvage yard, second-hand goods shop or dealing in second-hand goods.

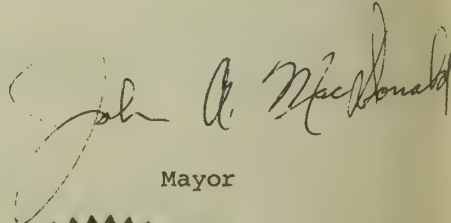
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 1 of section 4 of schedule 17 of By-law No. 73-342 is amended by striking out "or otherwise obtained" in the fourth line and substituting in lieu thereof ", received on consignment or otherwise received or acquired in any manner whatsoever", so that the line shall read as follows:

....are purchased, taken in exchange, received on consignment or otherwise received or acquired in any manner whatsoever, enter in the Record....

PASSED this 8th day of May A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 147

To Amend:

Hours of Closing By-law No. 5815

Respecting:

RETAIL FLORISTS

WHEREAS By-law No. 5815 was passed on the 30th day of July, 1946, and amended by By-law No. 5834, passed on the 27th day of August, 1946, pursuant to Part II of The Factory, Shop and Office Building Act, R.S.O. 1937, Chapter 194, wherein the municipality was empowered to pass by-laws as to the hours of closing of various classes of shops;

AND WHEREAS By-law No. 5815, as amended by By-law No. 5834, provides for the closing within certain hours of the class of shops known as retail florists;

AND WHEREAS Part II of the said Act was repealed and replaced by the corresponding provisions in The Municipal Act, now section 355 of The Municipal Act, R.S.O. 1970, Chapter 284;

AND WHEREAS the said By-law refers to The Factory, Shop and Office Building Act which said Act is no longer in force;

AND WHEREAS it is necessary to delete such provisions from the said By-law;

AND WHEREAS the penalty provided for the breach of the said By-law was the amount provided for in By-law No. 68 of the Revised By-laws of 1910 Respecting Penalties in an amount not exceeding \$50.00 exclusive of costs;

AND WHEREAS The Municipal Act provides in Part XXI for Penalties and the Enforcement of By-laws;

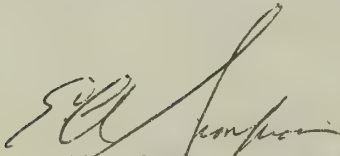
AND WHEREAS it is necessary to amend By-law No. 5815 in order to comply with Part XXI of The Municipal Act, so as to replace the aforesaid penalty of \$50.00 by the penalty provided under The Municipal Act.

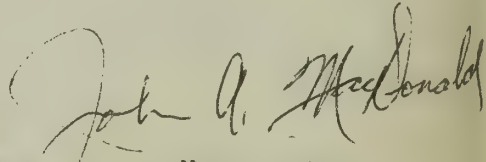
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

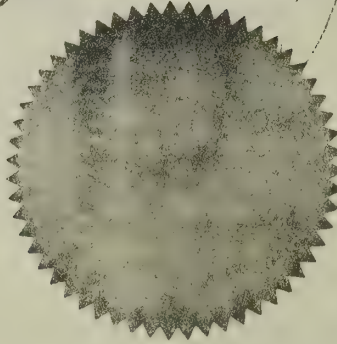
1. Sections 2 and 4 of By-law No. 5815 are repealed.
2. Section 3 of the said By-law is repealed and the following substituted therefor:

2. Every person who contravenes any provision of this by-law, is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.00 exclusive of costs.

PASSED this 8th day of May A.D. 1979.


City Clerk


Mayor



(1979) 5 R.L.F.C. 3, May 8

The Corporation of the City of Hamilton

BY-LAW NO. 79- 148

To Remove:

"OAKINGTON ESTATES PHASE 6" REGISTERED PLAN OF SUBDIVISION
FROM PART-LOT CONTROL

WHEREAS subsection 5 of section 29 of The Planning Act, R.S.O. 1970, Chapter 349, provides as follows:

- (5) Notwithstanding subsection 4, the council of a municipality may by by-law provide that subsection 4 does not apply to land that is within such registered plan or plans of subdivision or part or parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection 4 ceases to apply to such land,....

AND WHEREAS subsection 4 of section 29 of The Planning Act establishes part-lot control of land within a registered plan of subdivision;

AND WHEREAS authority to approve by-laws enacted under subsection 5 of section 29 of The Planning Act was delegated to the Council of The Regional Municipality of Hamilton-Wentworth by O.Reg. 443/75;

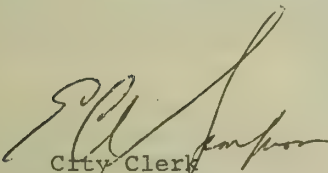
AND WHEREAS it is desirable to exempt certain lands from part-lot control.

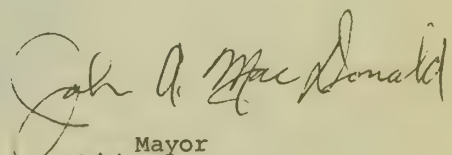
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 4 of section 29 of The Planning Act, R.S.O. 1970, Chapter 349, as amended by Statutes of Ontario 1972, Chapter 118, S. 3, shall not apply to the following lands:

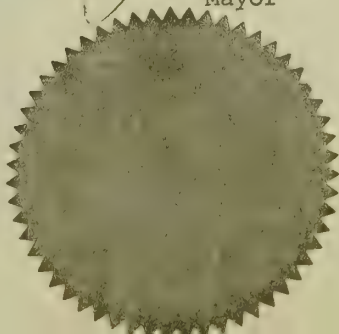
1. Registered Plan M-263, Oakington Estates Phase 6, registered on the 26th day of January, 1979.

PASSED this 8th day of May A.D. 1979.


City Clerk


Mayor

(1979) 12 R.P.D.C. 9, March 27



The Corporation of the City of Hamilton

BY-LAW NO. 79- 149

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 62 and 64 INCHBURY STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-11 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "H" (Community Shopping and Commercial, etc.) district, the land,

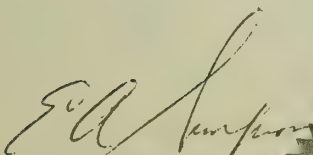
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "H" District provisions applicable to the lands referred to in section 1 are amended to the extent only of the following variances as special requirements:

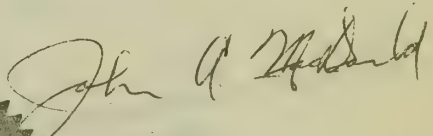
1. No side yards shall be required except as provided in this section.
2. No building or structure shall exceed eight storeys or eighty-five feet in height as prescribed and illustrated in schedule "B" as Feature 5.
3. No building or structure situated more than one hundred feet from the property line adjacent to York Boulevard shall be greater in height than the level described by the oblique line beginning at a point eighty-five feet in height and one hundred feet from York Boulevard and extending downwards at an angle of 45° to a point one hundred and seventy feet from York Boulevard as prescribed and illustrated in schedule "B" as Feature 6.

4. No building or structure more than one hundred and seventy feet from the property line adjacent to York Boulevard shall be greater than fifteen feet in height as prescribed and illustrated in schedule "B" as Feature 7.
5. The gross floor area of a building or structure shall not exceed two times the area of the lot on which it is situate.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,
 - (a) the "H" District provisions,subject to the special requirements referred to in section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-641".
5. Sheet No. W-11 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-641".
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

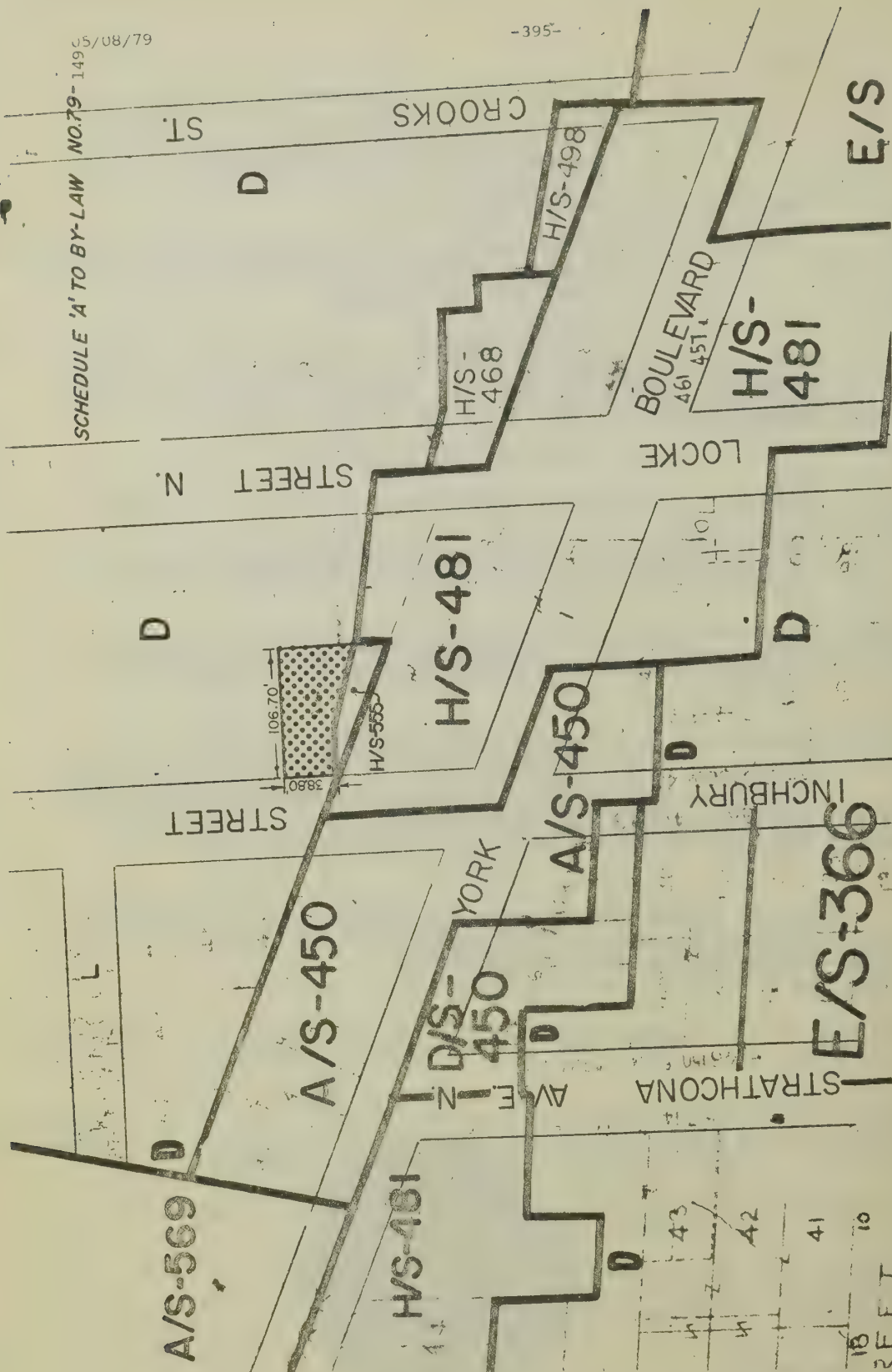
PASSED this 8th day of May A.D. 1979.


City Clerk




Mayor

(1979) 15 R.P.D.C. 3, April 10
City Initiative 79-L



LEGEND

Lands on Part of Sheet No. W-11 of The Zoning District Maps to be re-zoned from "D" (Urban Protected Residential One and Two Family Dwellings, etc.) District to H (Community Shopping and Commercial etc.) District.



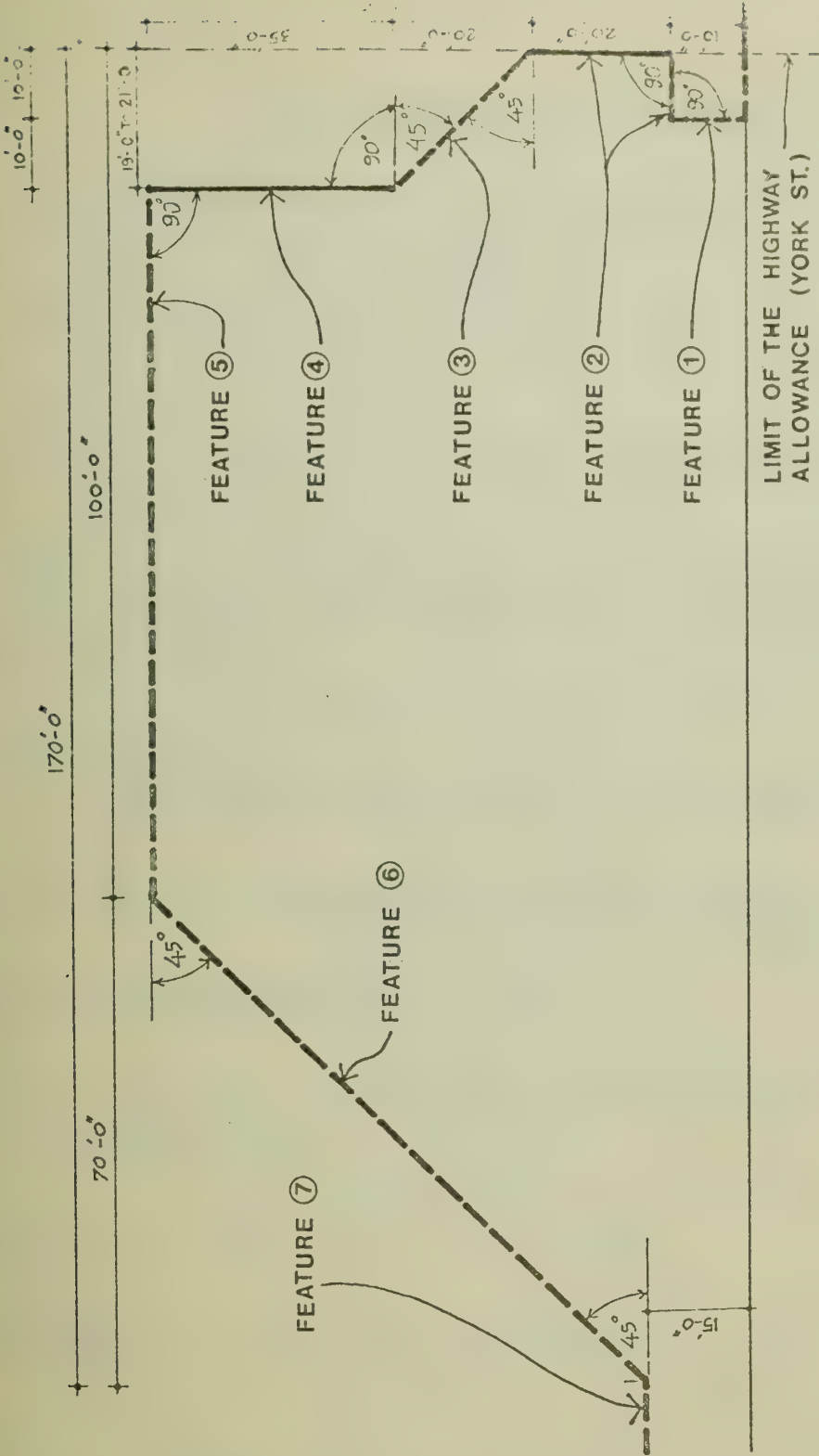
Bill No. 148

This is Schedule "A" to By-law No. 79-149 passed the 8th day of May, 1979

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor



SCHEDULE B

Bill No. 148

This is Schedule 'B' to By-law No. 79-149 passed the 8th day of May, 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 150

To Repeal:

Zoning By-law No. 79-104

Respecting:

LAND LOCATED AT MUNICIPAL NO. 28 DEVONPORT STREET

WHEREAS By-law No. 79-104, passed on the 27th day of March, 1979, rezoned the land at No. 28 Devonport Street from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "H" (Community Shopping and Commercial, etc.) district and established special requirements on the land;

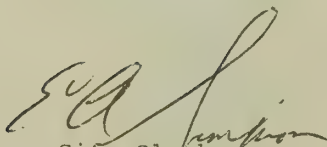
AND WHEREAS the special requirements have been revised in accordance with Item 4 of the 15th Report of the Planning and Development Committee, adopted by City Council on April 10, 1979;

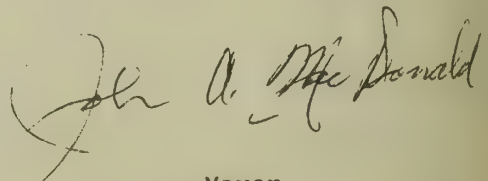
AND WHEREAS it is desirable to repeal By-law No. 79-104 and to re-enact a similar by-law with special requirements as required by the said Item 4.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 79-104 is hereby repealed.

PASSED this 8th day of May A.D. 1979.


City Clerk


Mayor

(1979) 15 R.P.D.C. 4, April 10
Z.A. 78-67



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 151

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 28 DEVONPORT STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-11 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "H" (Community Shopping and Commercial, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "H" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following restrictions as special requirements:

1. No side yards shall be required except as provided in this section.
2. No building or structure shall exceed eight storeys or eighty-five feet in height as prescribed and illustrated in schedule "B" as Feature 5.
3. No building or structure situated more than one hundred feet from the property line adjacent to York Boulevard shall be greater in height than the level described by the oblique line beginning at a point eighty-five feet in height and one hundred feet from York Boulevard and extending downwards at an angle of 45° to a point one hundred and seventy feet from York Boulevard as prescribed and illustrated in schedule "B" as Feature 6.

4. No building or structure more than one hundred and seventy feet from the property line adjacent to York Boulevard shall be greater than fifteen feet in height as prescribed and illustrated in schedule "B" as Feature 7.
5. The gross floor area of a building or structure shall not exceed two times the area of the lot on which it is situate.
6. There shall be provided and maintained along the south lot line of the property, a closed fence not less than 4 feet in height and not greater than 6 feet in height.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "B" District provisions,

subject to the special requirements referred to in section 2.

4. (1) Schedule "B" is hereto annexed and forms part of this by-law.

(2) For the purpose of this by-law, schedule "B" prescribes and illustrates as special requirements,

- (a) measurement in feet and inches from one point to another at each end of a line representing a Feature for which a corresponding measurement is applicable; and
- (b) the slope in degrees from a horizontal line at grade level of a Feature either separately or in relation to one or more Features.

5. By-law No. 6593 is amended by adding this by-law to section 19B as "S-630".

6. Sheet No. W-11 of the District Maps is amended by marking the land referred to in section 1, "S-630".

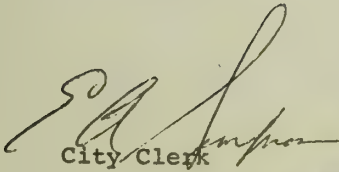
7. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the

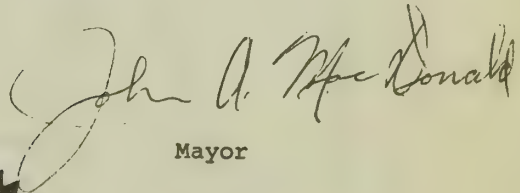
05/08/79

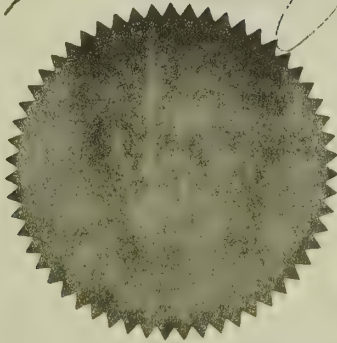
passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

8. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 8th day of May A.D. 1979.


City Clerk


Mayor



(1979) 8 R.P.D.C. 2, February 27
(1979) 15 R.P.D.C. 4, April 10
R.V. Kemp, Owner in Trust
Z.A. 78-67

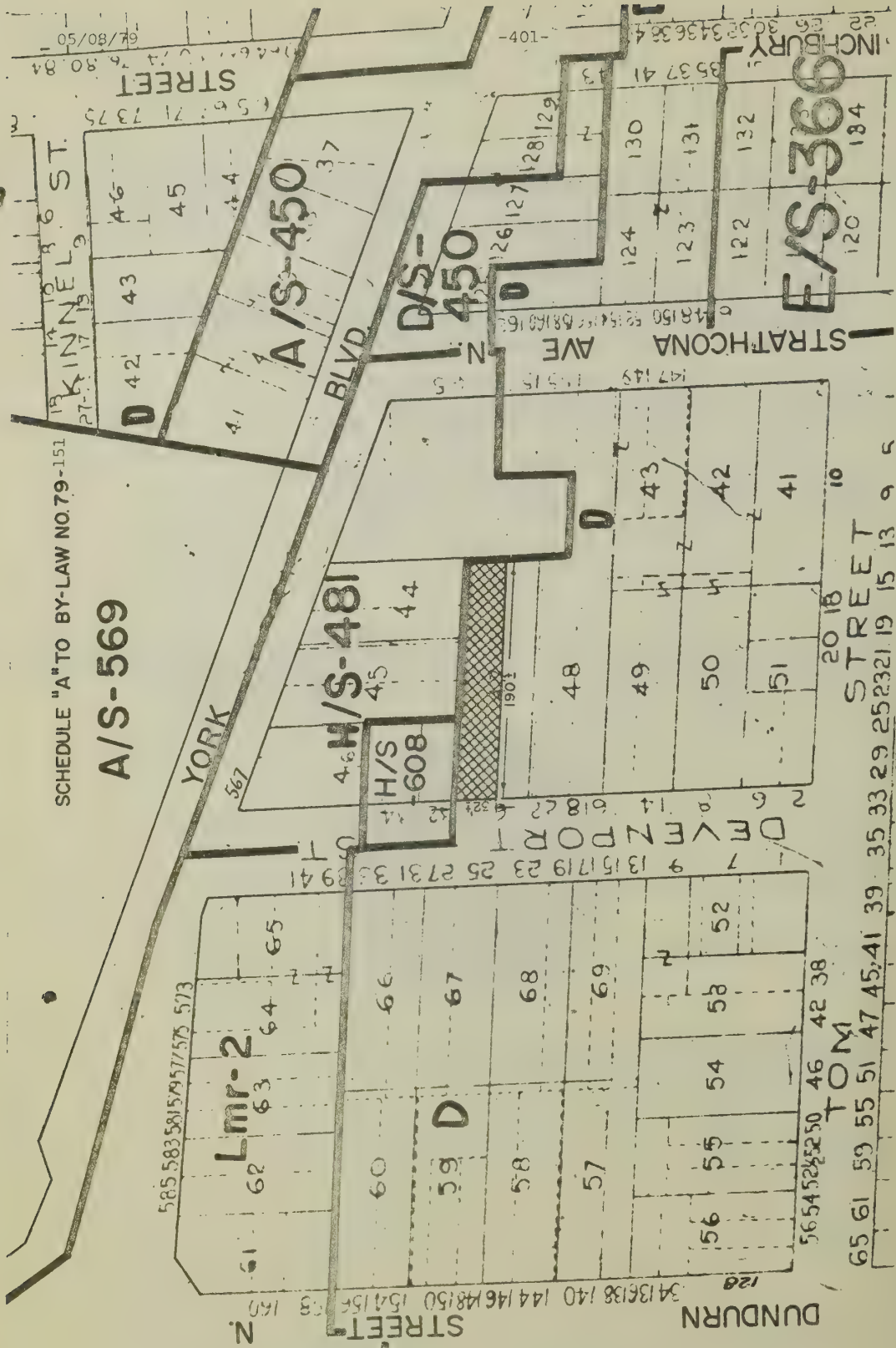
This is Schedule "A" to By-law No. 79-151 passed the 8th day of May, 1979.

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

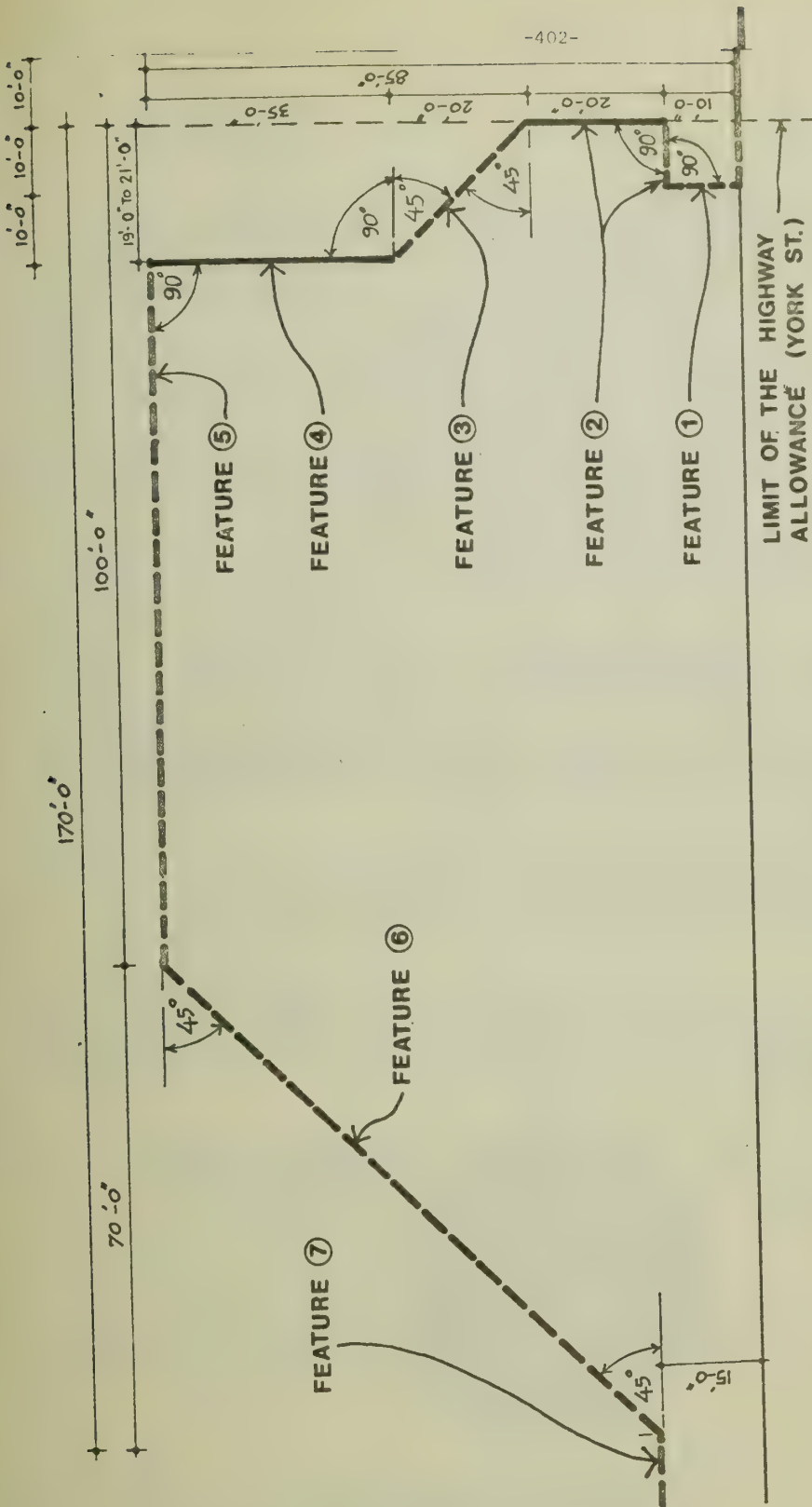
[Signature]
Mayor

Bill No. 149



Lands on Part of Sheet No. W-11 of The Zoning District Maps to be re-zoned from "D"
(Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H"
(Community Shopping and Commercial, etc.) District.

Scale, 1"=100'



SCHULE B

Bill No. 149

This is Schedule 'B' to By-law No. 79-151 passed the 8th day of May, 1979

SA [Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON
John A. Macdonald
 Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 152

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE NORTH-WEST CORNER OF CANNON STREET EAST
AND WELLINGTON STREET NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variances as special requirements:

1. Notwithstanding section 14 of By-law No. 6593, the following commercial and industrial uses shall be permitted:
 - (a) The manufacture of greeting cards;
 - (b) The wholesale and retail distribution of paper goods, gifts and wares;
 - (c) Packaging and warehousing accessory to the uses referred to in clauses (a) and (b).
2. There shall be provided and maintained along the northerly lot line,
 - (a) a closed fence at least 4 feet in height and not greater than 6 feet in height; and
 - (b) a planting strip at least 5 feet in width.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "H" District provisions,

subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-640".

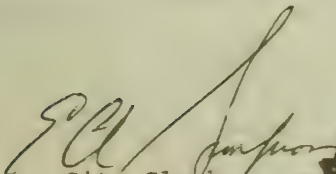
4. Sheets Nos. E-3 and E-4 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, "S-640".

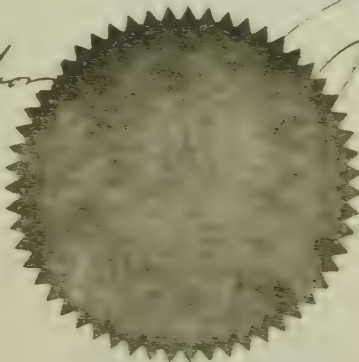
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

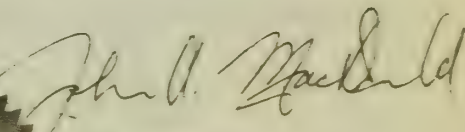
6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 8th day of May

A.D. 1979.

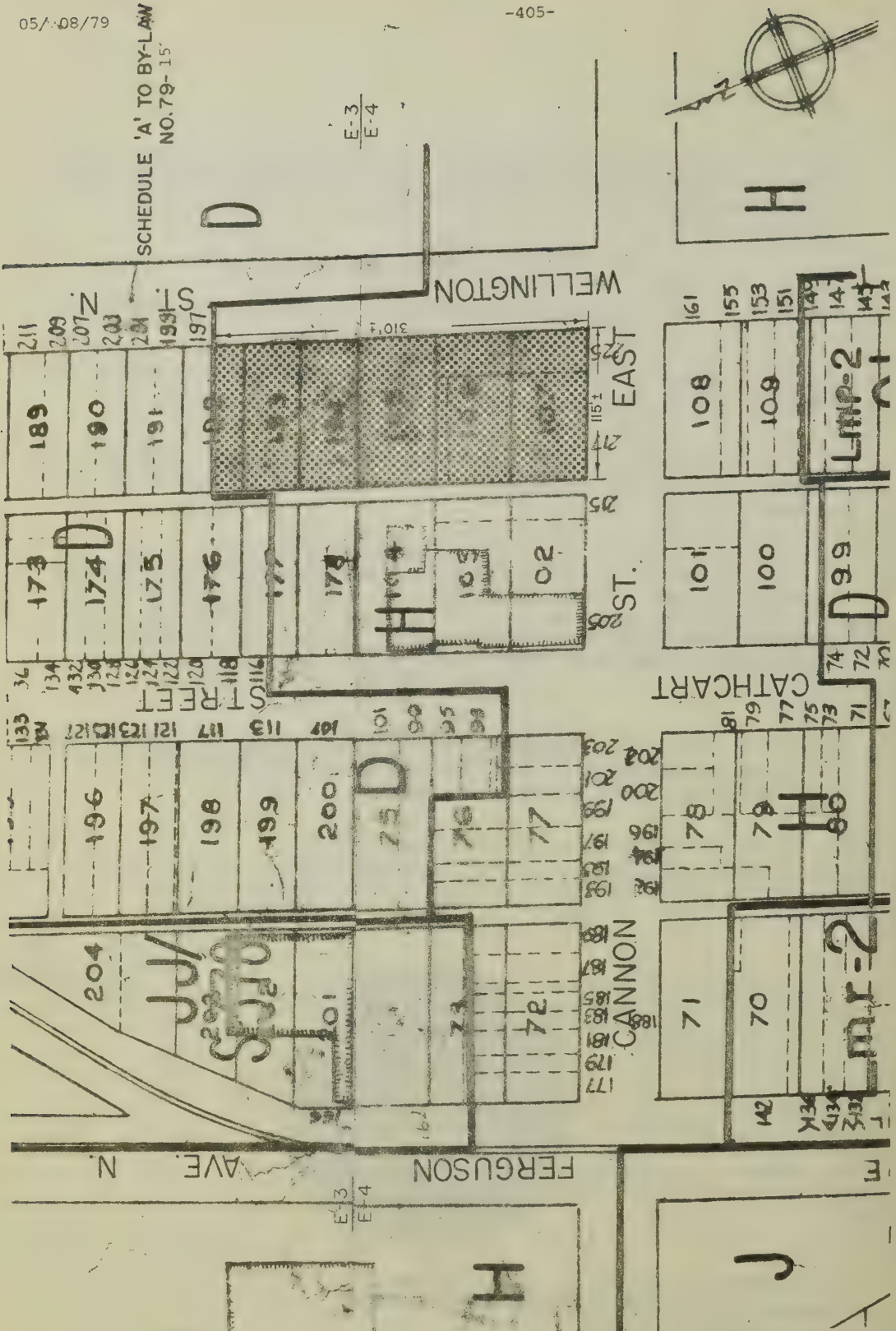

City Clerk




Mayor

(1979) 15 R.P.D.C. 1, April 10
Monarch Greeting Card Company Limited,
Prospective Owner
Z.A. 79-03

SCHEDULE 'A' TO BY-LAW
NO. 79-152



LEGEND

Lands on parts of Sheet No. E-3 and Sheet No. E-4 of The Zoning District Maps to be regulated by By-law No. 79-152

Scale: 1"=100'

Bill No. 150

This is Schedule "A" to By-law No. 79-152 passed the 8th day of May, 1979.

PA Simpson
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. MacDonald
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 153

TO CHANGE THE NAME OF LESTER STREET TO LESTERWOOD STREET

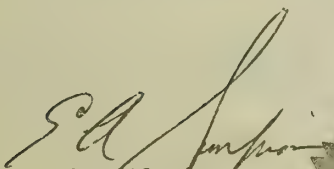
WHEREAS paragraph 97 of subsection 1 of section 354 of The Municipal Act, as amended by the Statutes of Ontario, 1976, Chapter 69, section 10 and re-enacted by subsection 2 of section 4 of The Municipal Amendment Act, 1978, (Bill 195), provides that the council of a municipality may pass by-laws for changing names of highways;

AND WHEREAS notice of this by-law was published in The Spectator once a week for four successive weeks prior to the passing of this by-law, as required by the said Act.

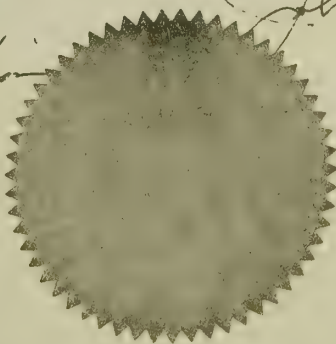
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The name of the street municipally known as Lester Street is hereby changed to Lesterwood Street.

PASSED this 8th day of May A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

By-law No. 79 - 154

To Authorize:

1. The Construction of local improvements without petition under Section 12 of The Local Improvement Act on Emerald Street;
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the City Engineer.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 1 of the 36th Report of the Traffic and Engineering Committee on the 28th day of November, 1978.

AND WHEREAS it is expedient to proceed without petition to undertake as local improvements the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed have not, within one month after first publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has procured to be made reports, estimates and statements required for the undertaking of the said works; .

AND WHEREAS the Ontario Municipal Board did on the 24th day of April, 1979, issue Order No. E 79170, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of certain works as local improvements on the initiative plan at an estimated cost of \$117,000.00, and
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$14,743.33 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$117,000.00.
2. The share or portion of the estimated cost of the works in the amount of \$14,743.33 to be borne by the lands abutting directly on the works and the estimated cost per foot to be rated shall be as set out in Schedule "A", provided that the actual rate per foot shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.

- 2 -

3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth -

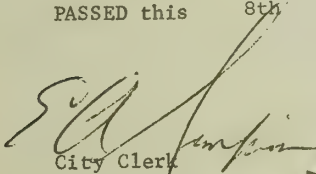
- (a) to the extent sufficient to provide an amount not exceeding \$14,743.33; and
- (b) repayable over a term not exceeding fifteen years, chargeable to The Corporation of the City of Hamilton.

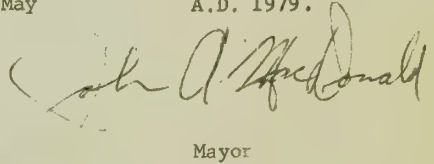
4. The City Engineer is hereby authorized to -

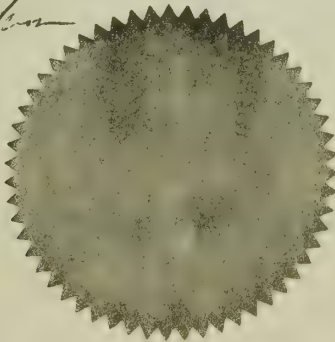
- (a) prepare all necessary plans, specifications and reports required for the construction of the works, and
- (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this 8th day of May A.D. 1979.


City Clerk


Mayor



SCHEDULE "A"

The Construction on Emerald Street from Birge Street to Barton Street
of a finished roadway at the costs and charges not exceeding those
set out below:

City's share	\$102,256.67
Owners' share	<u>14,743.33</u>
Total Estimated Cost	<u><u>\$117,000.00</u></u>

Estimated per foot frontage: \$10.00

Fifteen annual instalments

The Corporation of the City of Hamilton

BY-LAW NO. 79 -

To Adopt:

Official Plan Amendment No. 344

Respecting:

LANDS LOCATED ON THE SOUTH SIDE OF RYMAL ROAD,
IN THE AREA WEST OF WEST 5th STREET

The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 344 to the Official Plan of the
Hamilton Planning Area consisting of Schedule 1, hereto
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such
approval of the Official Plan Amendment referred to in
section 1 above, as may be requisite, be obtained and for
the doing of all things for the purpose thereof.

READ a First and Second Time this 8th Day of
May, A.D. 1979.

READ a Third Time and Finally passed this
Day of A.D. 1979.

City Clerk

Mayor

05/08/79

-411-

AMENDMENT NO. 344
TO THE OFFICIAL PLAN
OF THE CITY OF HAMILTON

PREPARED BY
THE PLANNING AND DEVELOPMENT DEPARTMENT
OF
THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

April, 1979

AMENDMENT NO.
TO THE OFFICIAL PLAN
OF THE CITY OF HAMILTON

Contents of this Document

PART I

THE CERTIFICATION

- - "The enacting portion attesting the official status of the document."

PART II

THE PREAMBLE

- - "An introduction to the Amendment and a summary of its background and basis."

PART III

THE AMENDMENT .

- - "The operative part of this document which amends the original Official Plan."

PART IV

THE APPENDIX

- - "An addendum to assist in the better understanding of the Amendment."

PART I

THE CERTIFICATION

- - "The enacting portion attesting the
official status of the document."

PART II

THE PREAMBLE

- - "An introduction to the Amendment and
a summary of its background and basis."

PART II: THE PREAMBLE

1. TITLE:

This Amendment shall be known as:

AMENDMENT NO. 344
to the Official Plan
of the City of Hamilton

2. COMPONENTS OF THIS AMENDMENT:

Only that part of this document entitled "PART III: THE AMENDMENT", comprising the text and attached Schedule "A", constitute Amendment No. 344 to the Official Plan of the City of Hamilton.

3. PURPOSE OF THIS AMENDMENT:

This Amendment will permit the development of a Retirement Village - Nursing Home Complex in an area presently designated "Residential" and which lies within a Stage 3 development area. As such, the proposed location does not comply with the intent of Official Plan Amendment 228 as approved by the Minister on September 1st, 1969.

Accordingly, this Amendment establishes policy for the proposed complex which, in terms of staging of development, is divergent from the City of Hamilton's policy for the co-ordinated and logical expansion of its urbanized area.

4. LOCATION OF THIS AMENDMENT:

Schedule "A", being a print of the approved Land Use Plan of the City of Hamilton, shows in red the location of lands affected by this Amendment. The Amendment affects lands on the south side of Rymal Road in the area west of West 5th Street.

5. BASIS:

This Amendment will provide a basis by which the proposed Retirement Village - Nursing Home Complex can be developed in the Stage 3 development area.

PART III

THE AMENDMENT

- - "The operative part of this document
which amends the original Official
Plan."

PART III: THE AMENDMENT3. INTRODUCTION

The whole of this part of the document entitled "Part III: The Amendment", which consists of the following text and the attached map designated Schedule "A", constitutes Amendment No. 344 to the Official Plan of the City of Hamilton.

This Amendment sets out specific policies regarding staging of development and sewer and water services for the development of a proposed Retirement Village - Nursing Home Complex.

POLICIES3.1 Staging of Development

Notwithstanding the provisions of policies 2.1.44, 2.1.45, 2.1.46, 2.1.47, 2.1.50, 2.1.51, 2.1.52, 2.2.17, in Official Plan Amendment 228, it is the intent of the policies set out in this Amendment to permit the immediate development of the proposed Retirement Village - Nursing Home Complex in the Stage 3 development area.

3.2 Sewer and Water Services

Notwithstanding the provisions of Policies 2.1.34 and 2.1.37 in Official Plan Amendment 228, municipal water and sanitary sewer services may be extended to permit development of the subject lands.

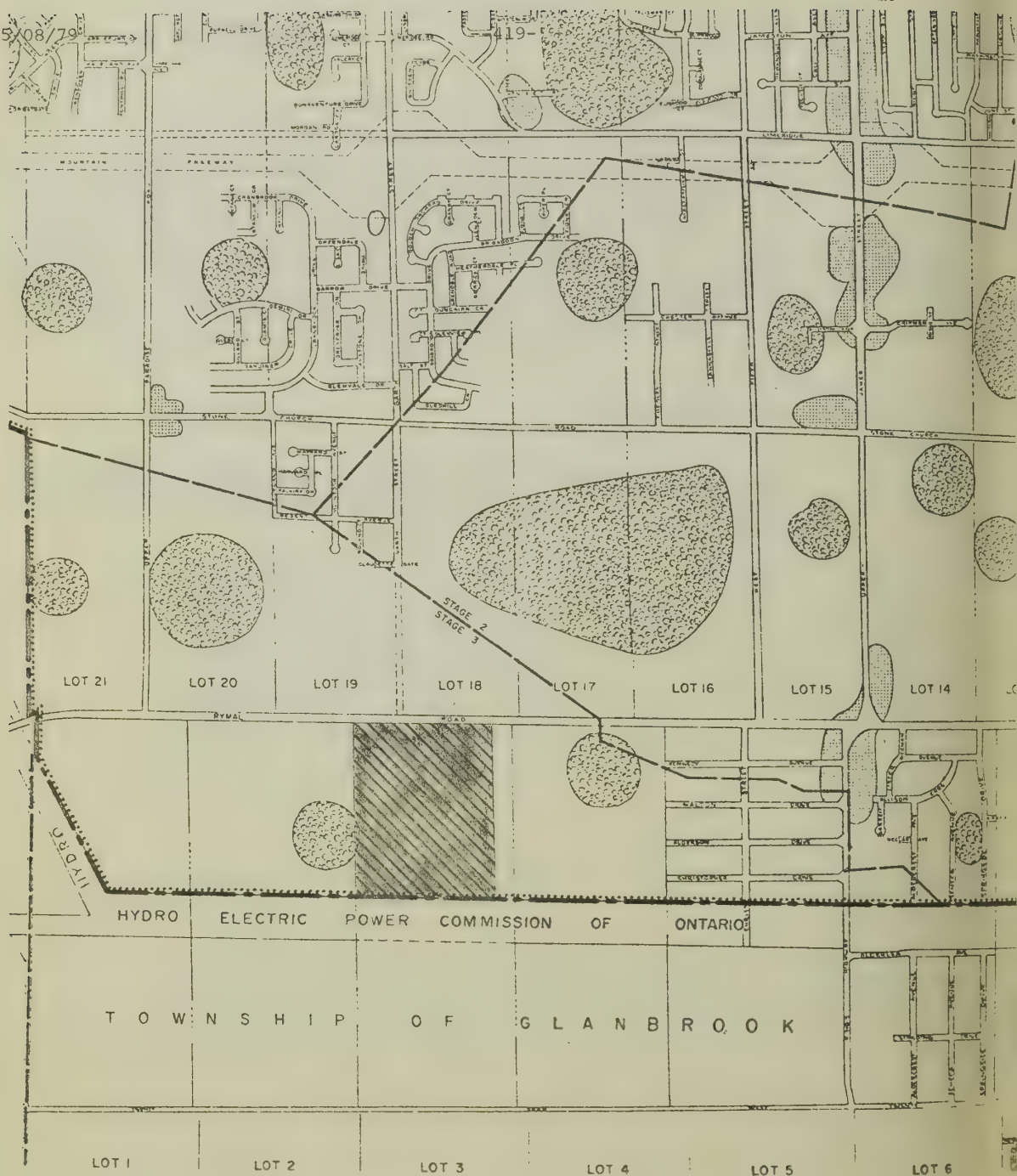
3.3 Commercial

In accordance with the provisions of Policies 2.1.11 and 2.1.12 in Official Plan Amendment 228, neighbourhood commercial uses shall be permitted within the proposed Retirement Village - Nursing Home Complex, provided that they will primarily serve the needs of the Retirement Village residents and are limited to a maximum area of two (2) acres.

3.4 Implementation

Development will be regulated through specific zoning by-law amendments, by development agreements and subdivision agreements.

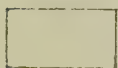
419-



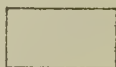
LEGEND



Location of Proposed Retirement
Village - Nursing Home Complex



Residential



Commercial



Open Space

Schedule "A" to Amendment No. 344
to the Official Plan
of the Hamilton Planning Area.



SCALE
1" = 1600'

PART IV

THE APPENDIX

- - "An addendum to assist in the better understanding of the Amendment."

Accordingly, the staging of development will reflect very closely the staging of constructing of municipal sewerage and water works services. 2.1.44"

"Two other important considerations affect the establishment of development priorities. One of these is the extent to which development has already occurred in any given area, and the second is the existing and proposed transportation facilities. 2.1.45"

"Where considerable development has already taken place without municipal services and there is a continuing pressure for development in the same general location, then consideration must be given to the early "in-filling" and "rounding out" of the development already started. And where major transportation arteries exist or are under construction which will permit easy access from potential residential areas to places of employment and shopping facilities, other things being equal, such potential residential areas have a claim to development priority. 2.1.46"

"On the basis of all these considerations, two priority areas may be identified. Both are included in Stage 1 and consist of the Red Hill Creek area and the area on the Mountain shown in Schedule "G". 2.1.47"

"Stage III contains the land shown in Schedule "G" in the southwest corner of the Mountain which cannot be served by either the extension of existing facilities or the Red Hill Creek Trunk Sanitary Sewer. Development of land in this stage will depend upon pumping stations to lift the sanitary sewage into the Stage I sewerage system. 2.1.50"

"The Plan for Staging of Development is not intended as a rigid timetable within which the indicated development must occur. The general policy will be that economic and functional use will be made of services and community facilities in each stage before proceeding with the development of the next stage and will also be consistent with the financial capacity of the City to meet the public costs of permitting the next stage to develop. 2.1.51"

"The sequence to be followed in developing the various parts of the area of the Amendment is shown on the map designated Schedule "G" (attached) which forms part of this Amendment and constitutes the Plan for Staging of Development (combined with the Plan for Sewer Services Schedule "E"). 2.1.52"

"(e) The Plan for STAGING of DEVELOPMENT (included in Schedule "G" attached)

(i) The Plan for Staging of Development indicates the sequence of development of the various

parts of the area of the Amendment. Each stage is not intended to represent the precise time when the development will occur. The timing of development will depend on many factors which cannot be precisely determined at the present and the time indications are to be considered only as a general guide. Nevertheless, it is intended that the indicated sequence of development be observed, wherever and whenever it may occur, consistent with the economic use of services and facilities and within the financial ability of the City. 2.2.17"

(iii) Residential Land Use

"The Residential classification of land shall mean that the predominant use of land in the area shall be for dwellings. Various types of dwellings are permitted in this classification, but similar types shall be located together so that there shall be no indiscriminate mixing of the various types. Appropriate measures will be provided to protect low density residential development against residential uses of high density and to protect all residential development against other uses which might infringe upon the amenities of residential lands. The classification shall also permit uses which are compatible to dwellings and which are necessary to serve the surrounding dwellings adequately, such as schools, neighbourhood parks, churches and public utilities. Neighbourhood commercial uses sufficient and necessary to serve only the day-to-day needs of the immediate residential area including small individual retail or service stores and commercial uses in apartment buildings sufficient only to serve the occupants thereof may be permitted without amendment to the Official Plan; preference should, however, be given to small groups of shops in suitable locations so as to prevent the scatter of commercial uses. Appropriate measures (such as increased yards, adequate off-street parking, landscape buffer strips, prohibition of outside storage and like measures) shall be provided by new developments of this nature, so as to preserve the amenities for the surrounding residential uses. 2.1.11"

"This definition shall not be construed as permitting a group of commercial uses exceeding two acres in area, a gasoline service station, or any industrial use which might otherwise be deemed to serve the immediate area. All neighbourhood commercial uses shall be permitted only on specific applications for rezoning so that regard can be had to the items above set out. 2.1.12"

PART IV: THE APPENDIX

This Appendix consists of the following:

1. Background information
2. Existing relevant Official Plan Policies
3. The proposal: a Retirement Village - Nursing Home Complex
4. Resolution of Regional Council

1. BACKGROUND INFORMATION

The proposed Retirement Village - Nursing Home Complex is a unique social service. It is felt that the proposal will contribute positively to the entire community, irrespective of the staging policy to be followed by the City.

The lands concerned were considered premature for development in terms of availability of urban services. Regular municipal storm and sanitary sewers were not expected to be installed in this area within the next twenty years.

However, the developer has agreed to finance the construction and operation of private pumping facilities to pump the sanitary sewage from the development back to the existing sewers in Stage I in accordance with the specifications of the Municipality.

Although major municipal road improvements would not be required by the proposed development, it will have a definite influence on the timing of future road improvements. In light of this, the developer has agreed to dedicate lands to establish Garth Street and deed lands required as road widenings on Rymal Road West.

It is proposed that the development will proceed in a number of phases according to financial commitments and project requirements.

2. EXISTING OFFICIAL PLAN POLICIES

Official Plan Amendment 228 sets out policies for the development of most of the undeveloped land in the City of Hamilton. It added the elements of neighbourhood structure, residential density, sewer and water services, major roads and staging of development to the existing Official Plan of the City.

The provisions of the following policies as set out in Official Plan Amendment 228 require amending as previously described in Part III - The Amendment, to permit the proposed Retirement Village - Nursing Home Complex.

(i) Sewer and Water Service

"An essential prerequisite to the development of the undeveloped lands in the area covered by this Amendment is the extension of piped municipal services. 2.1.34"

"The programme for the provision of sewer services in the area is predicated upon the ease with which existing services can be extended into new areas, or alternatively, the ease with which new services are in existence. The gradient of the land is the major determining factor. The western part of the area (Stage I on the Mountain) can be served by extension of existing facilities. In the Stage II area, it is generally easier and more economic to serve the lower or easterly part of the area first, and progress westward because a large part of the land drains eastward into Red Hill Creek. The Red Hill Creek drainage area ends on the height of lying approximately half-way between Upper Garth Street and West 5th Street and the lands lying west of this height of land can most easily be served by extending the service now in existence at Mohawk Road on the north, as indicated earlier. 2.1.37"

(ii) Staging of Development

"A staged development programme is intended to provide for the orderly and economic extension of all municipal works and services. The actual time period for the various stages, however, will depend to a large extent on the rate of growth of population and financial capabilities of the municipality to undertake the necessary expenditures; the actual development, wherever and whenever it may occur, will normally only be possible if piped municipal services are available.

NOTES:

Schedules "B", "D", "E", "G", of Official Plan Amendment 228 have been included as background material, but this Amendment does not necessitate any changes to these Schedules.

Official Plan Amendment 339 was approved by Council on April 25th, 1978. The Amendment defines policies regarding residential land use in the City of Hamilton. Once approved by the Minister, Official Plan Amendment 339 will supersede those portions of Official Plan Amendment 228 dealing with residential land use and servicing and staging of development.

3. THE PROPOSAL

A Rezoning Application has been received from the St. Elizabeth Home Society, owner, for the development of a Retirement Village - Nursing Home Complex together with some commercial facilities to be established on 74 acres of land on the south side of Rymal Road West, the location of which is shown on the attached plan.

Preliminary details of the projected residential and commercial development are as follows:

104	1-storey	1 bedroom townhouse bungalows
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NOTE:

Although the gross area of the development is +74 acres, the development is composed of approximately +63 acres. The remaining +11 acres are residual lands and lands to be deeded to the Municipality for the extension of Garth Street and street widenings on Rymal Road.

05/08/79

-427-

SCALE 1" = 400

AA

B1

ROAD

ROAD

ROAD

AA

LEGEND

Proposed Retirement Village and Nursing Home project.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

OFFICE OF THE CLERK
CENTURY 21 BUILDING, 100 MAIN ST. E., HAMILTON, 526-4154

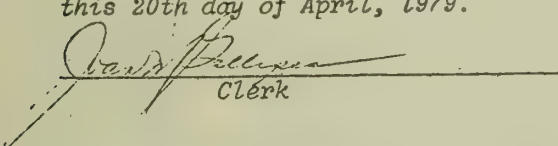
Mailing Address: P.O. BOX 910, HAMILTON, ONTARIO L8N 3V9

4. RESOLUTION OF REGIONAL COUNCIL

43. That the Chairman, Regional Clerk and Commissioner of Finance be authorized to execute the Special Private Drain Agreement between the St. Elizabeth Home Society and the Region to permit the maximum discharge of 4 L/S into the Regional sewer on Garth Street.

*I hereby certify the foregoing to be a true copy
of Item 43 of the FOURTEENTH Report of the
Engineering Services Committee which was approved
by Regional Council on August 15, 1978.*

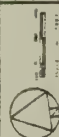
*Dated at Hamilton,
this 20th day of April, 1979.*


Clerk

5/8/79

HAMILTON PLANNING AREA OFFICIAL PLAN

AMENDMENT NO. 228



STAGING OF DEVELOPMENT

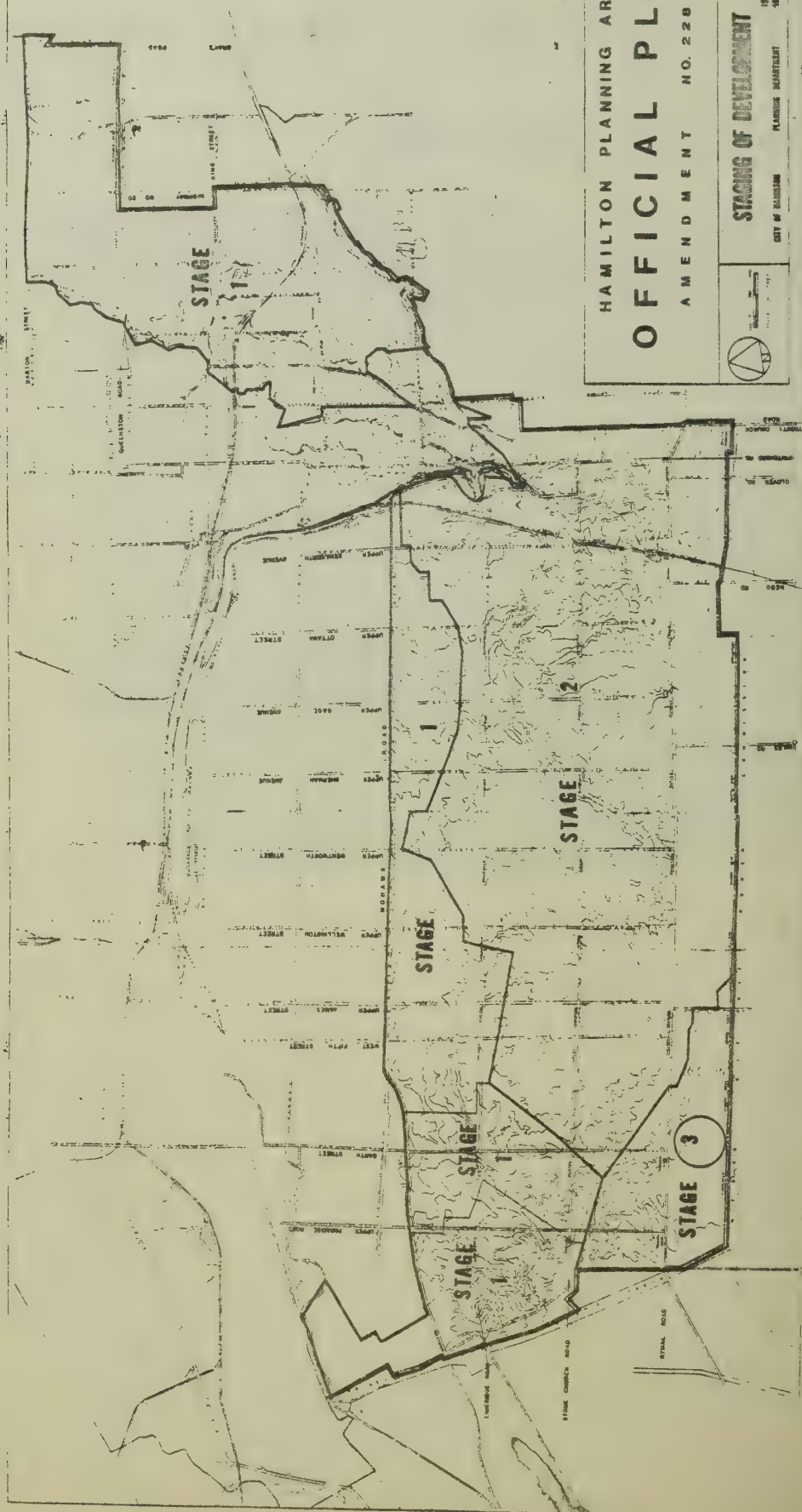
PLANNING DEPARTMENT	OFFICE OF PLANNING
1961	1961
1962	1962

0360 0364

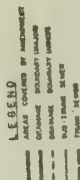
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LONG TAIL

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430



HAMILTON PLANNING AREA OFFICIAL PLAN

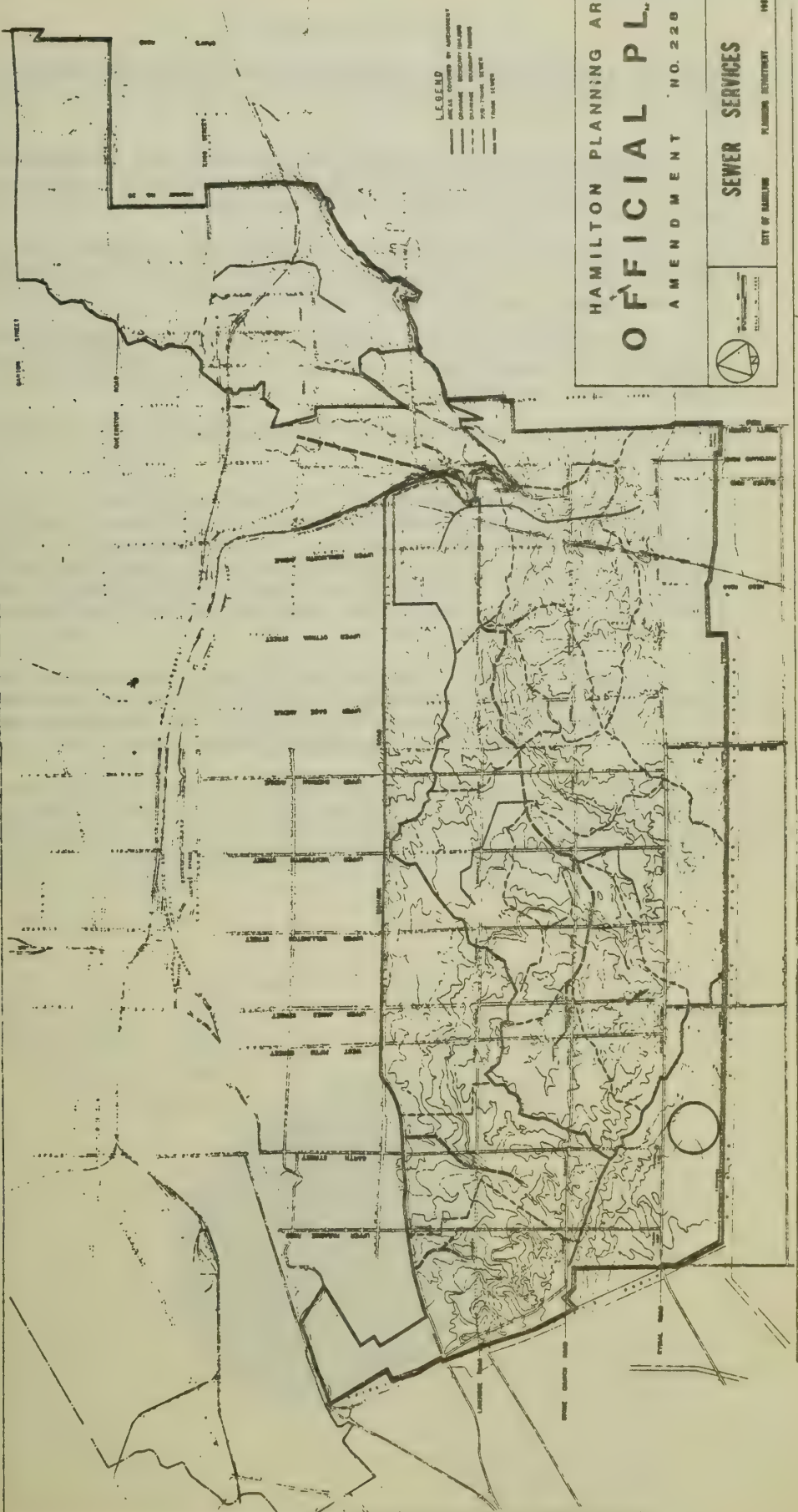
AMENDMENT NO. 228

SEWER SERVICES

1000
PLANNING DEPARTMENT
CITY OF BIRMINGHAM

5/8/79

432



LEGEND
--- Boundary of Amendment
--- Boundary of District
--- Boundary of Township
--- Boundary of County
--- Boundary of State
--- Boundary of Nation

HAMILTON PLANNING AREA

OFFICIAL PLAN

AMENDMENT NO. 228

SCHEDULE

SEWER SERVICES

CITY OF HAMILTON PLANNING DEPARTMENT 1987

E

Bill No. 151

BY-LAW No. 79- 155

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE 8TH DAY OF MAY A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

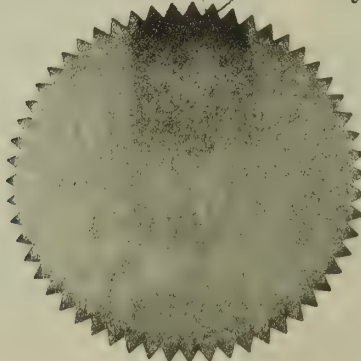
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 8th day of May A.D., 1979.

SA Simpson
City Clerk

John A. MacDonald
Mayor



Bill No. 162

BY-LAW No. 79- 156

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE 15TH DAY OF MAY A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

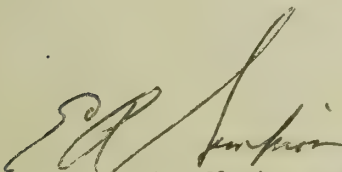
AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

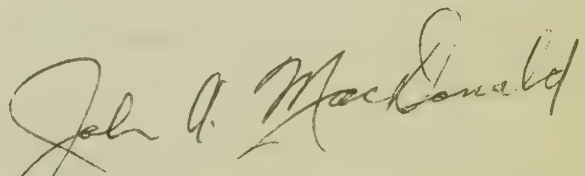
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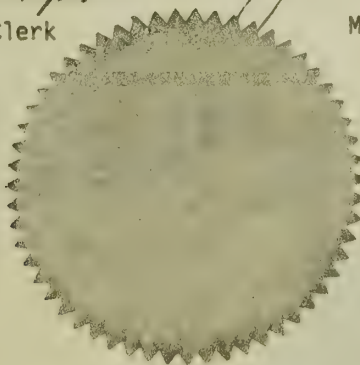
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 15th day of May A.D., 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 157

To Adopt:

Official Plan Amendment No. 344

Respecting:

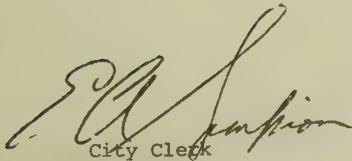
LANDS LOCATED ON THE SOUTH SIDE OF RYMAL ROAD,
IN THE AREA WEST OF WEST 5th STREET

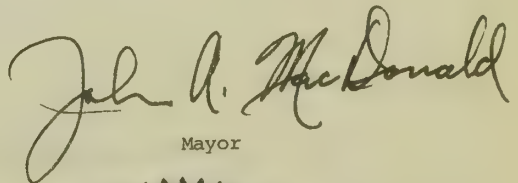
The Council of The Corporation of the City of
Hamilton enacts as follows:

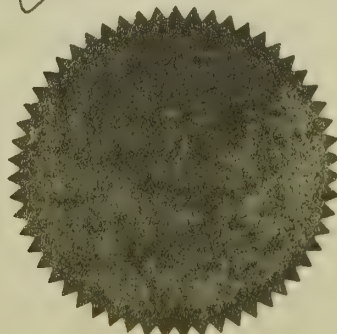
1. Amendment No. 344 to the Official Plan of the
Hamilton Planning Area consisting of Schedule 1, hereto
annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such
approval of the Official Plan Amendment referred to in
section 1 above, as may be requisite, be obtained and for
the doing of all things for the purpose thereof.

READ a First and Second Time this 8th Day of
May, A.D. 1979.

READ a Third Time and Finally passed this 29th
Day of May A.D. 1979.


City Clerk


Mayor



05/29/79

-436-

AMENDMENT NO. 344
TO THE OFFICIAL PLAN
OF THE CITY OF HAMILTON

PREPARED BY
THE PLANNING AND DEVELOPMENT DEPARTMENT
OF
THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

April, 1979

AMENDMENT NO. 344
TO THE OFFICIAL PLAN
OF THE CITY OF HAMILTON

Contents of this Document

PART I

THE CERTIFICATION

- - "The enacting portion attesting the official status of the document."

PART II

THE PREAMBLE

- - "An introduction to the Amendment and a summary of its background and basis."

PART III

THE AMENDMENT

- - "The operative part of this document which amends the original Official Plan."

PART IV

THE APPENDIX

- - "An addendum to assist in the better understanding of the Amendment."

PART I

THE CERTIFICATION

- - "The enacting portion attesting the
official status of the document."

PART II

THE PREAMBLE

- - "An introduction to the Amendment and
a summary of its background and basis."

PART II: THE PREAMBLE

1. TITLE:

This Amendment shall be known as:

AMENDMENT NO. 344
to the Official Plan
of the City of Hamilton

2. COMPONENTS OF THIS AMENDMENT:

Only that part of this document entitled "PART III: THE AMENDMENT", comprising the text and attached Schedule "A", constitute Amendment No. 344 to the Official Plan of the City of Hamilton.

3. PURPOSE OF THIS AMENDMENT:

This Amendment will permit the development of a Retirement Village - Nursing Home Complex in an area presently designated "Residential" and which lies within a Stage 3 development area. As such, the proposed location does not comply with the intent of Official Plan Amendment 228 as approved by the Minister on September 1st, 1969.

Accordingly, this Amendment establishes policy for the proposed complex which, in terms of staging of development, is divergent from the City of Hamilton's policy for the co-ordinated and logical expansion of its urbanized area.

4. LOCATION OF THIS AMENDMENT:

Schedule "A", being a print of the approved Land Use Plan of the City of Hamilton, shows in red the location of lands affected by this Amendment. The Amendment affects lands on the south side of Rymal Road in the area west of West 5th Street.

5. BASIS:

This Amendment will provide a basis by which the proposed Retirement Village - Nursing Home Complex can be developed in the Stage 3 development area.

PART III

THE AMENDMENT

- - "The operative part of this document
which amends the original Official
Plan."

PART III: THE AMENDMENT

3. INTRODUCTION

The whole of this part of the document entitled "Part III: The Amendment", which consists of the following text and the attached map designated Schedule "A", constitutes Amendment No. 344 to the Official Plan of the City of Hamilton.

This Amendment sets out specific policies regarding staging of development and sewer and water services for the development of a proposed Retirement Village - Nursing Home Complex.

POLICIES

3.1 Staging of Development

Notwithstanding the provisions of policies 2.1.44, 2.1.45, 2.1.46, 2.1.47, 2.1.50, 2.1.51, 2.1.52, 2.2.17, in Official Plan Amendment 228, it is the intent of the policies set out in this Amendment to permit the immediate development of the proposed Retirement Village - Nursing Home Complex in the Stage 3 development area.

3.2 Sewer and Water Services

Notwithstanding the provisions of Policies 2.1.34 and 2.1.37 in Official Plan Amendment 228, municipal water and sanitary sewer services may be extended to permit development of the subject lands.

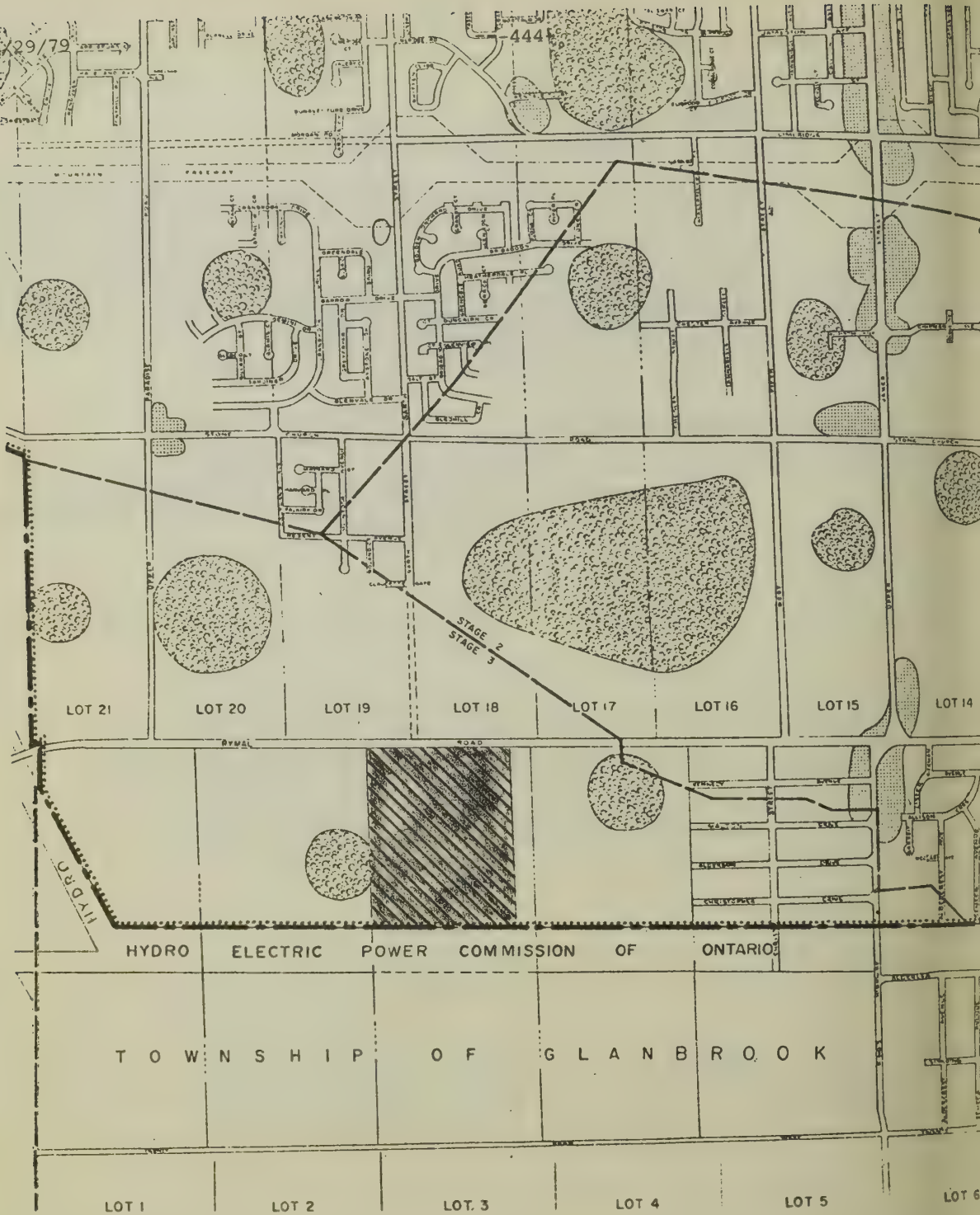
3.3 Commercial

In accordance with the provisions of Policies 2.1.11 and 2.1.12 in Official Plan Amendment 228, neighbourhood commercial uses shall be permitted within the proposed Retirement Village - Nursing Home Complex, provided that they will primarily serve the needs of the Retirement Village residents and are limited to a maximum area of two (2) acres.

3.4 Implementation

Development will be regulated through specific zoning by-law amendments, by development agreements and subdivision agreements.

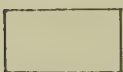
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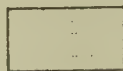
LEGEND



Location of Proposed Retirement
Village - Nursing Home Complex



Residential



Commercial



Open Space

Schedule "A" to Amendment No. 3
to the Official Plan
of the Hamilton Planning Area



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PART IV

THE APPENDIX

- - "An addendum to assist in the better
understanding of the Amendment."

PART IV: THE APPENDIX

This Appendix consists of the following:

1. Background information
2. Existing relevant Official Plan Policies
3. The proposal: a Retirement Village - Nursing Home Complex
4. Resolution of Regional Council

1. BACKGROUND INFORMATION

The proposed Retirement Village - Nursing Home Complex is a unique social service. It is felt that the proposal will contribute positively to the entire community, irrespective of the staging policy to be followed by the City.

The lands concerned were considered premature for development in terms of availability of urban services. Regular municipal storm and sanitary sewers were not expected to be installed in this area within the next twenty years.

However, the developer has agreed to finance the construction and operation of private pumping facilities to pump the sanitary sewage from the development back to the existing sewers in Stage I in accordance with the specifications of the Municipality.

Although major municipal road improvements would not be required by the proposed development, it will have a definite influence on the timing of future road improvements. In light of this, the developer has agreed to dedicate lands to establish Garth Street and deed lands required as road widenings on Rymal Road West.

It is proposed that the development will proceed in a number of phases according to financial commitments and project requirements.

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Official Plan Amendment 228 sets out policies for the development of most of the undeveloped land in the City of Hamilton. It added the elements of neighbourhood structure, residential density, sewer and water services, major roads and staging of development to the existing Official Plan of the City.

The provisions of the following policies as set out in Official Plan Amendment 228 require amending as previously described in Part III - The Amendment, to permit the proposed Retirement Village - Nursing Home Complex.

(i) Sewer and Water Service

"An essential prerequisite to the development of the undeveloped lands in the area covered by this Amendment is the extension of piped municipal services. 2.1.34"

"The programme for the provision of sewer services in the area is predicated upon the ease with which existing services can be extended into new areas, or alternatively, the ease with which new services are in existence. The gradient of the land is the major determining factor. The western part of the area (Stage I on the Mountain) can be served by extension of existing facilities. In the Stage II area, it is generally easier and more economic to serve the lower or easterly part of the area first, and progress westward because a large part of the land drains eastward into Red Hill Creek. The Red Hill Creek drainage area ends on the height of lying approximately half-way between Upper Garth Street and West 5th Street and the lands lying west of this height of land can most easily be served by extending the service now in existence at Mohawk Road on the north, as indicated earlier. 2.1.37"

(ii) Staging of Development

"A staged development programme is intended to provide for the orderly and economic extension of all municipal works and services. The actual time period for the various stages, however, will depend to a large extent on the rate of growth of population and financial capabilities of the municipality to undertake the necessary expenditures; the actual development, wherever and whenever it may occur, will normally only be possible if piped municipal services are available.

Accordingly, the staging of development will reflect very closely the staging of constructing of municipal sewerage and water works services. 2.1.44"

"Two other important considerations affect the establishment of development priorities. One of these is the extent to which development has already occurred in any given area, and the second is the existing and proposed transportation facilities. 2.1.45"

"Where considerable development has already taken place without municipal services and there is a continuing pressure for development in the same general location, then consideration must be given to the early "in-filling" and "rounding out" of the development already started. And where major transportation arteries exist or are under construction which will permit easy access from potential residential areas to places of employment and shopping facilities, other things being equal, such potential residential areas have a claim to development priority. 2.1.46"

"On the basis of all these considerations, two priority areas may be identified. Both are included in Stage 1 and consist of the Red Hill Creek area and the area on the Mountain shown in Schedule "G". 2.1.47"

"Stage III contains the land shown in Schedule "G" in the southwest corner of the Mountain which cannot be served by either the extension of existing facilities or the Red Hill Creek Trunk Sanitary Sewer. Development of land in this stage will depend upon pumping stations to lift the sanitary sewage into the Stage I sewerage system. 2.1.50"

"The Plan for Staging of Development is not intended as a rigid timetable within which the indicated development must occur. The general policy will be that economic and functional use will be made of services and community facilities in each stage before proceeding with the development of the next stage and will also be consistent with the financial capacity of the City to meet the public costs of permitting the next stage to develop. 2.1.51"

"The sequence to be followed in developing the various parts of the area of the Amendment is shown on the map designated Schedule "G" (attached) which forms part of this Amendment and constitutes the Plan for Staging of Development (combined with the Plan for Sewer Services Schedule "E"). 2.1.52"

"(e) The Plan for STAGING of DEVELOPMENT (included in Schedule "G" attached)

(i) The Plan for Staging of Development indicates the sequence of development of the various

parts of the area of the Amendment. Each stage is not intended to represent the precise time when the development will occur. The timing of development will depend on many factors which cannot be precisely determined at the present and the time indications are to be considered only as a general guide. Nevertheless, it is intended that the indicated sequence of development be observed, wherever and whenever it may occur, consistent with the economic use of services and facilities and within the financial ability of the City. 2.2.17"

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05/29/79

B

452-

SCALE 1" = 400'

AA

B.I.

RYMAL ROAD WEST

RYMAL ROAD

AA

LEGEND

Site of Proposed Retirement Village and Nursing Home

05/29/79

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

OFFICE OF THE CLERK
CENTURY 21 BUILDING, 100 MAIN ST. E., HAMILTON, 526-4154

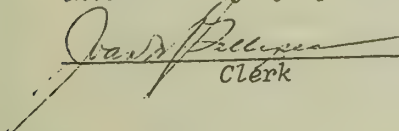
Mailing Address: P.O. BOX 910, HAMILTON, ONTARIO L8N 3V9

4. RESOLUTION OF REGIONAL COUNCIL

43. That the Chairman, Regional Clerk and Commissioner of Finance be authorized to execute the Special Private Drain Agreement between the St. Elizabeth Home Society and the Region to permit the maximum discharge of 4 L/S into the Regional sewer on Garth Street.

*I hereby certify the foregoing to be a true copy
of Item 43 of the FOURTEENTH Report of the
Engineering Services Committee which was approved
by Regional Council on August 15, 1978.*

Dated at Hamilton,
this 20th day of April, 1979.


Clerk



AMENDMENT NO. 228

STAGING OF DEVELOPMENT	DE MARCHI TOME	ON AFRICAN DEVELOPMENT	1969-1972
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05/29/79

HAMILTON PLANNING AREA
OFFICIAL PLAN
AMENDMENT NO. 228

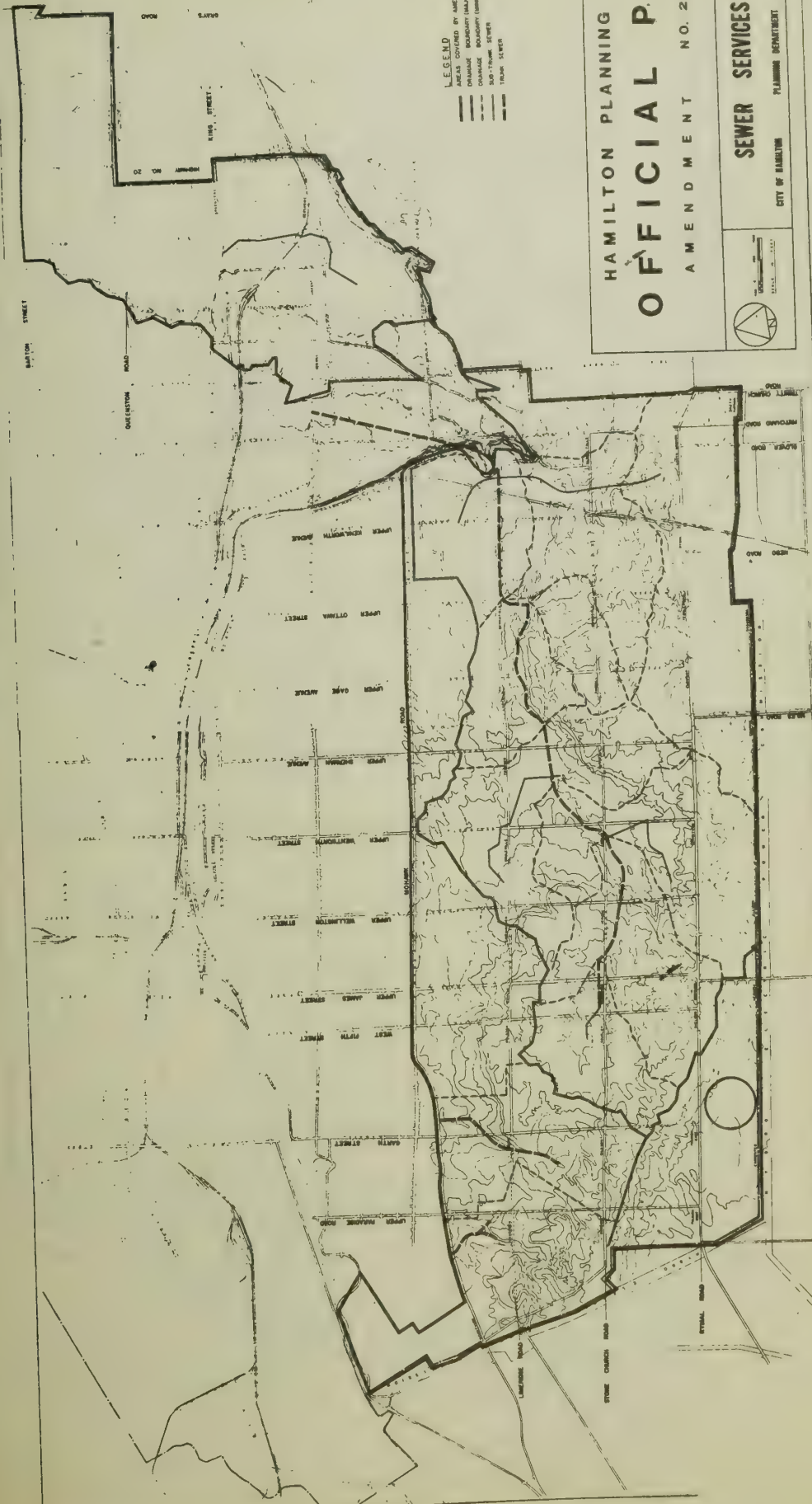
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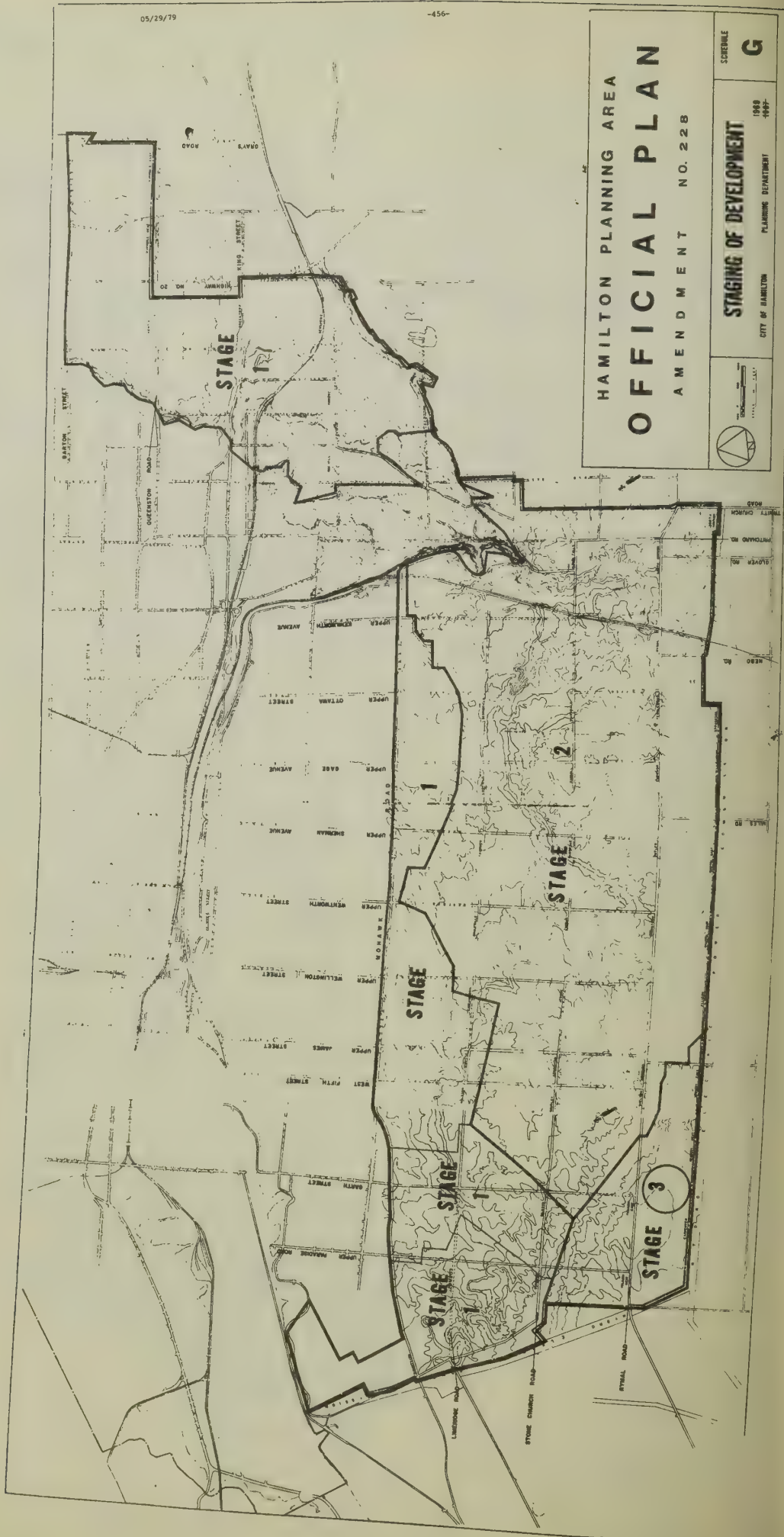
CITY OF HAMILTON PLANNING DEPARTMENT 1987



LEGEND

- AREAS COVERED BY AMENDMENT
- CHARGE BOUNDARY (HARD)
- CHARGE BOUNDARY (HARD)
- SUB-TOWN SERVICE
- TOWN SERVICE





The Corporation of the City of Hamilton

BY-LAW NO. 79 - 158

To Remove:

PART OF "BERRISFIELD MEADOWS TWO" REGISTERED PLAN OF SUBDIVISION
FROM PART-LOT CONTROL

WHEREAS subsection 5 of section 29 of The Planning Act, R.S.O. 1970, Chapter 349 provides as follows:

- (5) Notwithstanding subsection 4, the council of a municipality may by by-law provide that subsection 4 does not apply to land that is within such registered plan or plans of subdivision or part or parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection 4 ceases to apply to such land,....

AND WHEREAS subsection 4 of section 29 of The Planning Act establishes part-lot control of land within a registered plan of subdivision;

AND WHEREAS authority to approve by-laws enacted under subsection 5 of section 29 of The Planning Act was delegated to the Council of The Regional Municipality of Hamilton-Wentworth by O. Reg. 443/75;

AND WHEREAS it is desirable to exempt certain lands from part-lot control.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 4 of section 29 of The Planning Act, R.S.O. 1970, Chapter 349, as amended by Statutes of Ontario 1972, Chapter 118, S. 3, shall not apply to the following lands:

1. Lots 25 to 53 inclusive, on Registered Plan No. M-229, registered on the 24th day of June, 1977.

PASSED this 29th day of May A.D. 1979.

[Signature]
City Clerk

[Signature]
Mayor

(1979) 19 R.P.D.C. 5, May 8



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 159

To Amend:

Destruction of Records By-law No. 68-152

Respecting:

TREASURY DEPARTMENT RECORDS

WHEREAS By-law No. 68-152, passed on the 14th day of May, 1968, was enacted in accordance with section 248b of The Municipal Act, R.S.O. 1960, now section 249 of The Municipal Act, R.S.O. 1970, Chapter 284, authorizing the destruction of documents;

AND WHEREAS it is intended to amend By-law No. 68-152 with respect to certain records of the Treasury Department.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 6 to By-law No. 68-152 is amended by numbering the paragraphs therein as follows:

<u>Number</u>	<u>Paragraph</u>
1.	Banking Records
2.	Debentures and Coupons
3.	Garage Reports
4.	Journal Vouchers
5.	Meter Reports and Records
6.	Payroll Records
7.	Requisitions
8.	Shop and Stores Reports
9.	Welfare
10.	Taxation Section
11.	Receipts Section

2. Schedule 6 of the said By-law is amended by adding thereto paragraphs 12 and 13, hereto annexed as schedule "A".

3. Paragraph 11 of Schedule 6 of the said By-law is amended by striking out in line 23 "Local Improvement rating sheets - Indefinitely", and in lines 24 and 25 "Local Improvement record of Annual Levies (Data Processing) - 7 years".

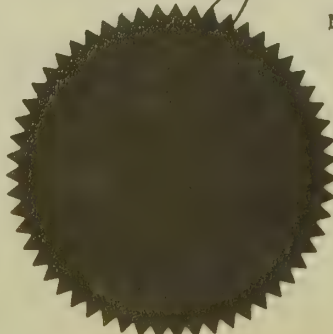
PASSED this 29th day of May A.D. 1979.

[Signature]
City Clerk

[Signature]
Mayor

Approved by MacGillivray & Co., the
Auditors of The Corporation of the
City of Hamilton, Municipal Licence
No. 4562.

DATED at the City of Hamilton, this
day of 1979.



SCHEDULE "A"

To By-law No. 79- 159

<u>Description of Records</u>	<u>Period of Retention</u>
12. Parking Violation Section -	
Ticket issues, payments, withdrawals and deletions	1 Year
Summons listings	2 Years
Court Dockets	2 Years
Daily parking violation computer reports	2 Years
Monthly parking violation computer reports	2 Years
Quarterly Report of Notifications not issued	2 Years
Bank remittance forms (parking tickets)	2 Years
Parking violation correspondence	2 Years
<u>Description of Records</u>	<u>Period of Retention</u>
13. Local Improvements Section -	
Local improvement rating sheets	Indefinitely
Local improvement record of Annual Levies	7 Years
Local improvement work sheets	3 Years
Local improvement correspondence	7 Years
Local improvement payment receipts	7 Years
Section 636(a), Tax Appeals	5 Years
Court Hearings, Assessment Review Court and	
County Judge Decisions	5 Years
Tax Appeal correspondence	5 Years

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 160

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE NORTH-EAST CORNER
OF RYMAL ROAD AND NEBO ROAD

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-12" (Prestige Industrial) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. Notwithstanding section 17C(3)(b) of By-law No. 6593, a retail lumber yard shall be a permitted use.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "M-12" District provisions,

subject to the special requirement referred to in section 1.

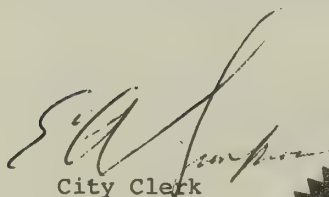
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-646".

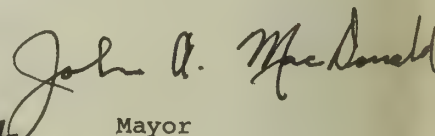
4. Sheet No. E-59D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-646".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

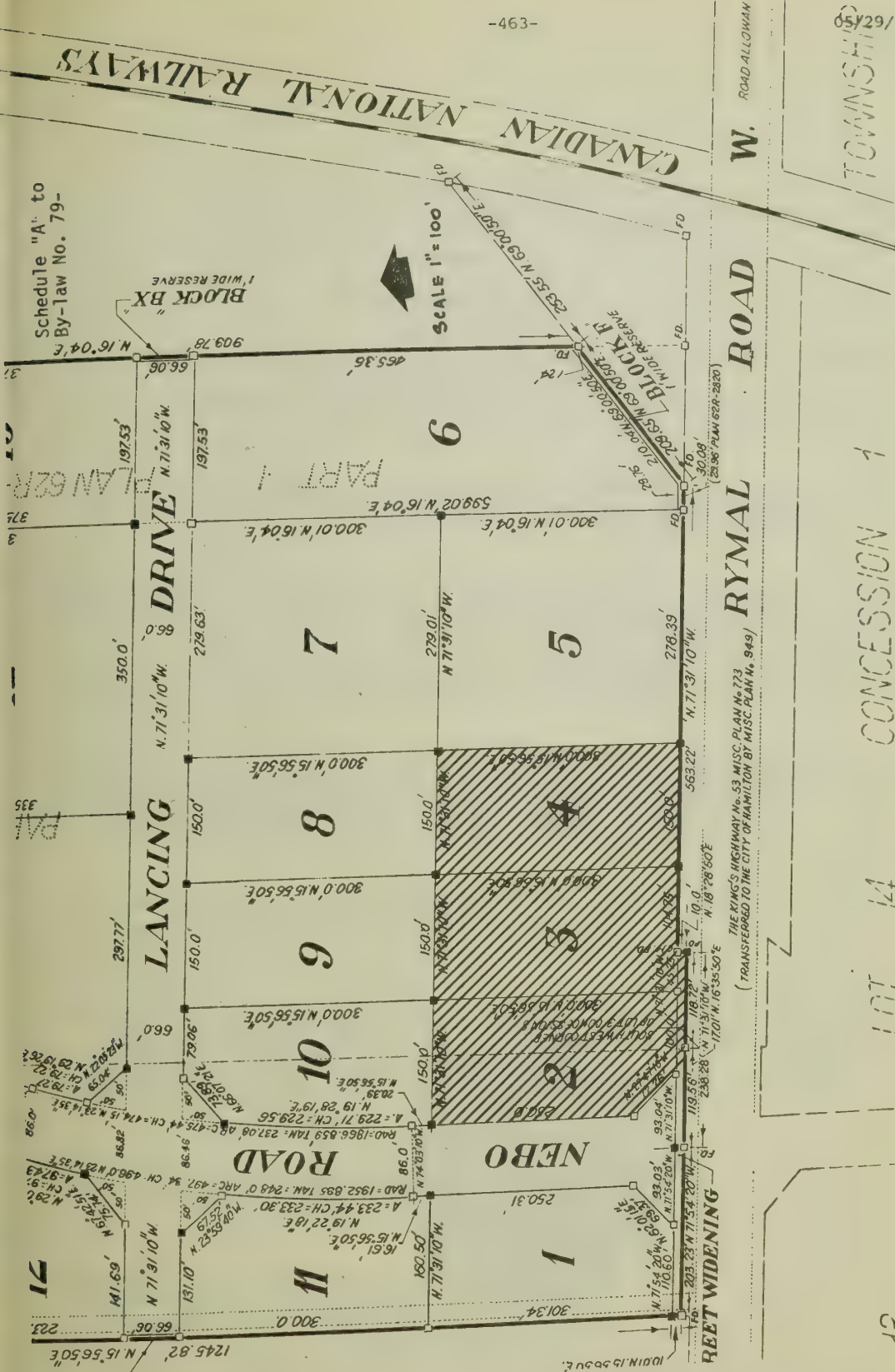
PASSED this 29th day of May A.D. 1979.


City Clerk


Mayor



(1979) 16 R.P.D.C. 5, April 24
City Initiative 79-N



LEGEND

Lands to be regulated by By-law No. 79- 160



Bill No. 165

This is Schedule "A" to By-law No. 79- 160 passed the 29th day of May, A.D., 1979

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 161

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS.
62 1/2, 64, 66, 68, 70 and 72 STIRTON STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the lands the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variances as special requirements:

1. Notwithstanding section 10(1) of By-law No. 6593, a public parking lot shall be permitted.
2. Parking space, access driveway, manoeuvring space and turning space comprised in the parking lot shall be paved with asphalt or concrete and graded or drained so as to provide that surface water does not escape onto abutting land.
3. No parking space shall be established within 10 feet of the property line extending along Stirton Street.
4. A closed fence not less than 4 feet in height and not greater than 6 feet in height shall be provided and maintained along the south lot line of the land.
5. A planting strip not less than 10 feet in width containing a minimum of 5 trees be established and maintained along the property line abutting Stirton Street, except in the area occupied by the access driveways.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "D" District provisions,

subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-634".

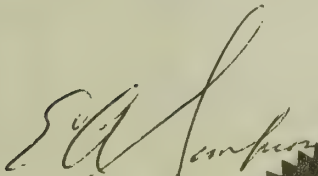
4. Sheet No. E-22 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-634".

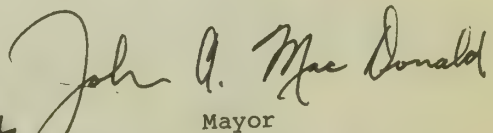
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

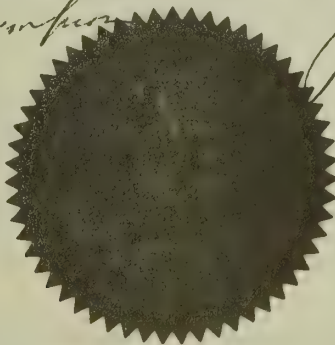
6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 29th day of May

A.D. 1979.


City Clerk


Mayor



(1979) 12 R.P.D.C. 2, March 27
Bo-Rich Investments Limited, Owner
ZA 79-04

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

Lands on Part of Sheet No. E. 22 of The Zoning District Maps to be regulated by By-law

LEGEND

Scale: 1"=120' ±

Bill No. 166

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 162

To Amend:

Zoning By-law No. 76-248

Respecting:

THE STINSON NEIGHBOURHOOD

WHEREAS By-law No. 76-248, passed on the 14th day of September, 1976, provided for the rezoning of lands in the Stinson Neighbourhood;

AND WHEREAS By-law No. 76-248 rezoned the lands of the T. H. & B. Railway from "J" (Light and Limited Heavy Industry, etc.) district to "A" (Conservation, Open Space, Park and Recreation) district;

AND WHEREAS the Ontario Municipal Board, at a hearing held on the 5th day of August, 1977, approved By-law No. 76-248 subject to rezoning the lands of the T. H. & B. Railway from "J" to "JJ" (Restricted Light Industrial) district;

AND WHEREAS reference plans were deposited by the T. H. & B. Railway on January 11, 1979 showing the lands owned by the Railway;

AND WHEREAS it is intended herein to rezone the lands of the T. H. & B. Railway from "J" to "JJ", instead of from "J" to "A";

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

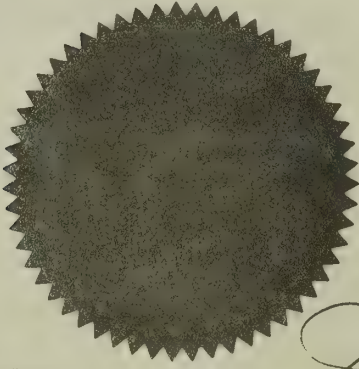
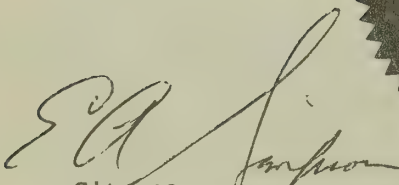
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

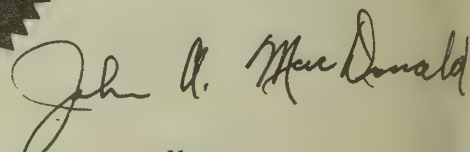
1. Sheet No. E-14 of the District Maps, appended to and forming part of By-law No. 6593, as amended by clause (f) of section 2 of By-law No. 76-248, is amended as follows:

- (a) by changing from "A" (Conservation, Open Space, Park and Recreation) district to "J" (Light and Limited Heavy Industry, etc.) district, the lands comprised in,

- (i) Plan M-2530 being parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 shown on Reference Plan 62R-4609, deposited in the Registry Office for the Registry Division of Wentworth (No. 62), on the 11th day of January, 1979; and
 - (ii) Plan M-2532 and more particularly described as that part of part 1 east of the easterly boundary of Wellington Street, (formerly Division Street), shown on Reference Plan 62R-4607, deposited in the Registry Office for the Registry Division of Wentworth (No. 62), on the 11th day of January, 1979; and
- (b) by changing from "J" (Light and Limited Heavy Industry, etc.) district to "JJ" (Restricted Light Industrial) district, the lands referred to in subclauses (i) and (ii) of clause (a), the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

PASSED this 29th day of May A.D. 1979.



City Clerk


Mayor

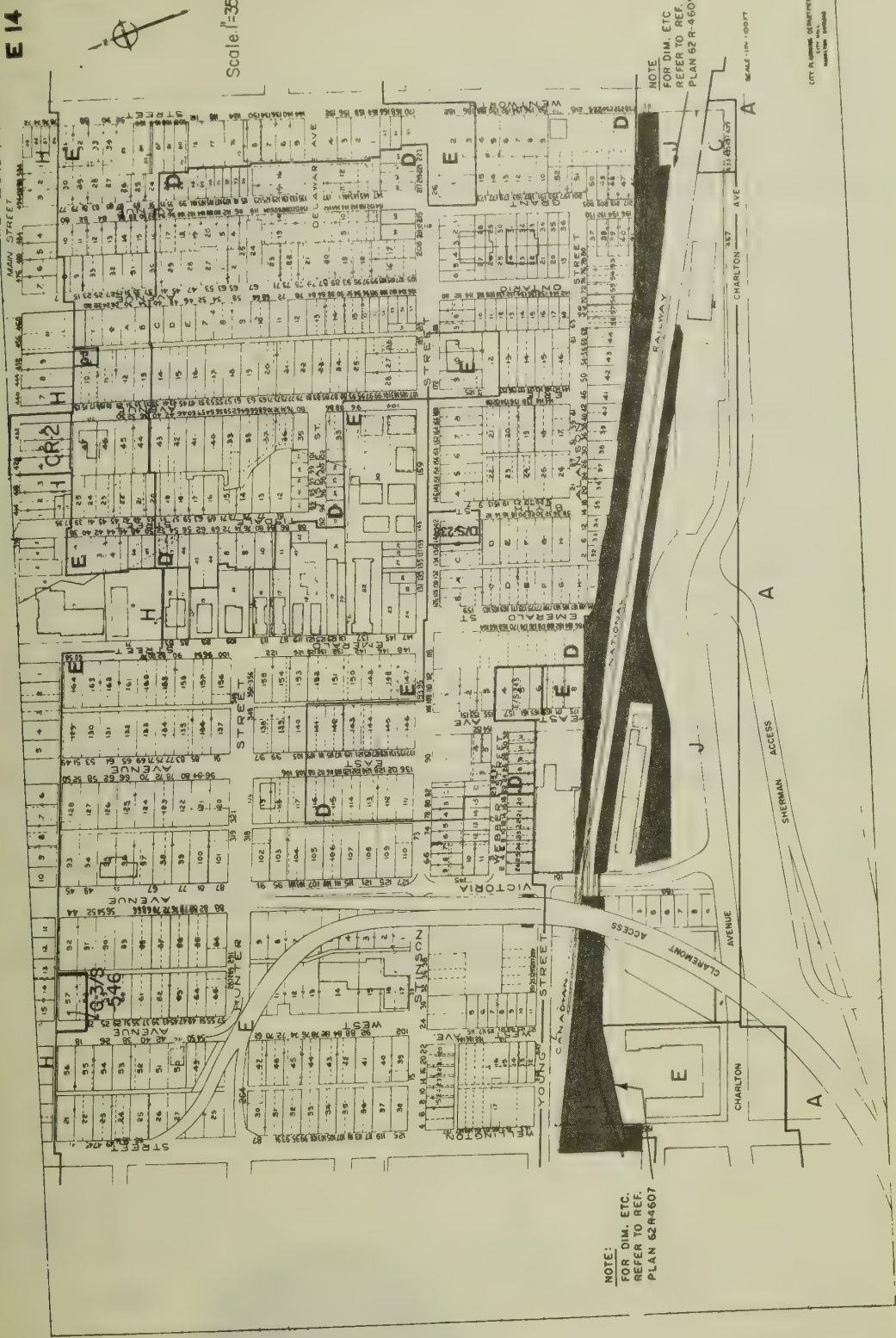
(1979) 12 R.P.D.C. 8, March 27
O.M.B. Oral Decision, August 5, 1977
City Initiative 76-M

E 14

Scale 1"=350'

-469-

05/29/79



NOTE:
FOR DIM. ETC.
REFER TO REF.
PLAN 62 R-4609

SCALE 1"=350'

CITY PLANNING DEPARTMENT
MAY 29 1979

LEGEND

Lands on Sheet No. E-14 of the Zoning District Maps to be regulated by By-law No. 79-162
(Lands of the T.H. and B. Railway)

Bill No. 167

This is Schedule "A" to By-law No. 79-162 passed the 29th day of May A.D., 1979

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature] Mayor
[Signature] Mac Donald

The Corporation of the City of Hamilton

BY-LAW NO. 79 -163

To Adopt:

Official Plan Amendment No. 343

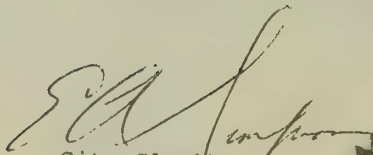
Respecting:

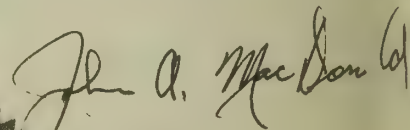
LAND LOCATED IN THE AREA SOUTH OF STONE CHURCH ROAD WEST
AND WEST OF UPPER PARADISE ROAD

The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 343 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 29th day of May A.D. 1979.


City Clerk


Mayor



05/29/79

AMENDMENT NO. 343 to the Official Plan for the Hamilton Planning Area.

The following text, together with the map attached as Schedule "A" hereto, constitute Amendment No. 343.

PURPOSE:

To change the land use designation established in a prescribed area.

LOCATION:

South west corner of Upper Paradise and Stone Church Roads.

BASIS:

It is proposed that lands at the South west corner of Upper Paradise and Stone Church Roads be used for commercial purposes and that the present "Residential" designation of these lands be changed accordingly.

ACTUAL CHANGE:

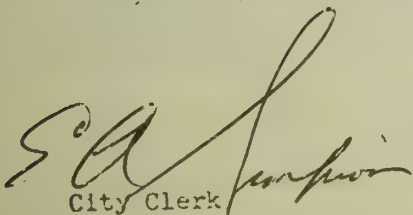
That the designation of lands outlined in red on Schedule "A" be changed from "Residential" to "Commercial".

IMPLEMENTATION:

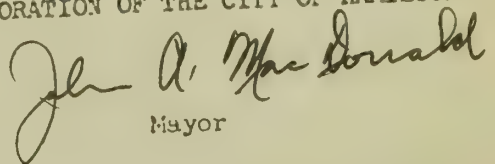
Restricted Area By-laws will give effect to the intended commercial use of the subject lands.

Bill No. 168

This is Schedule 1 to By-law No. 19-163 passed the 29th day of May A.D., 1979


City Clerk

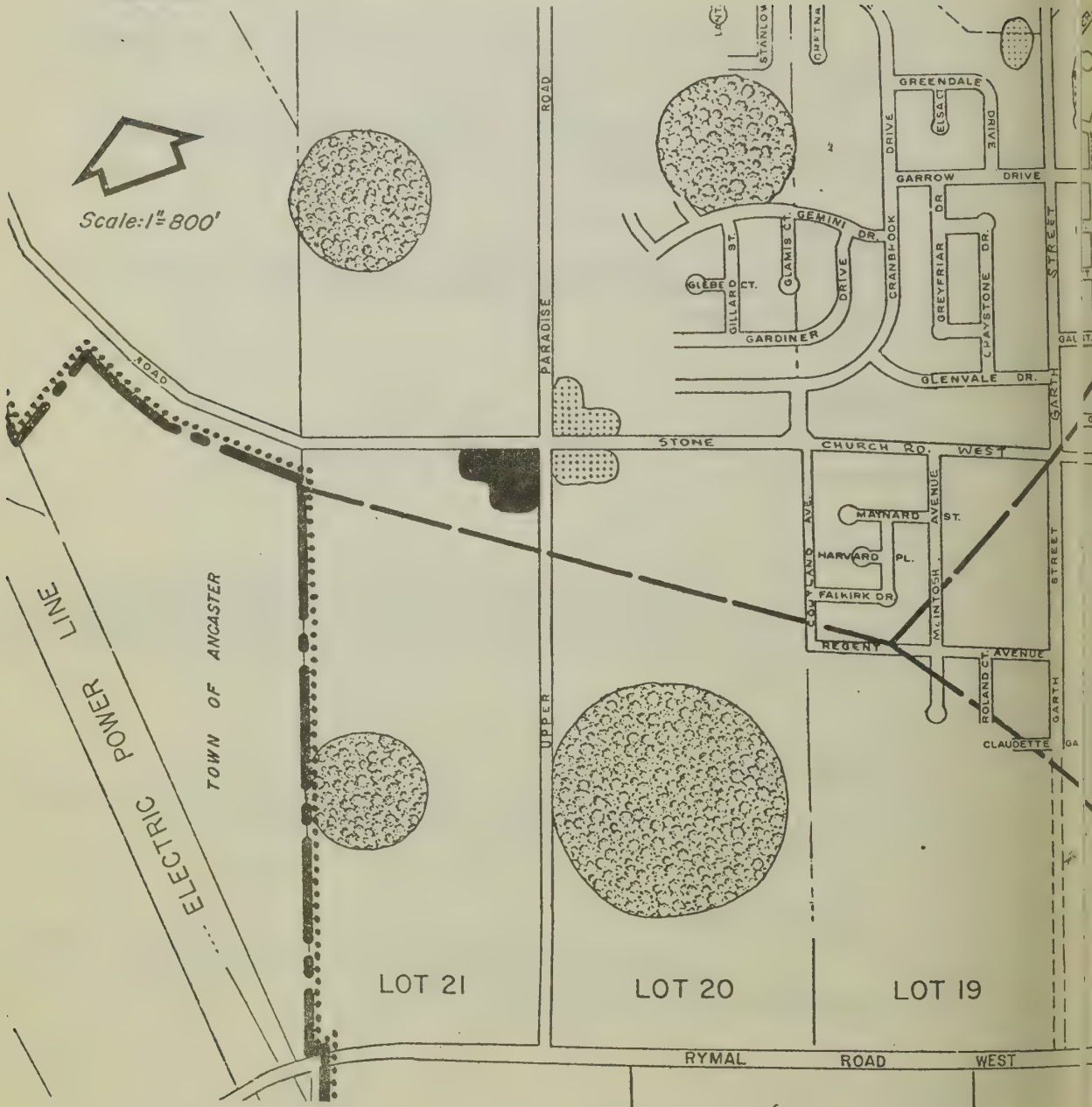
THE CORPORATION OF THE CITY OF HAMILTON


Mayor

05/29/79

-472-

Change from "Residential" to "Commercial".



LEGEND



Commercial



Residential



Recreation, Civic and Cultural

Schedule "A" to Amendment No. 342
to the Official Plan
of the Hamilton Planning Area.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 164

To Amend:

Licensing By-laws Nos. 73-342 and 10467

Respecting:

THE ELIMINATION OF VARIOUS CLASSES OF LICENCES

WHEREAS Licensing By-law No. 73-342, passed on the 18th day of December, 1973 and in force on the 1st day of January, 1974, and By-law No. 10467, passed on the 30th day of June, 1964, provide for the licensing, regulating and governing of various trades, callings, businesses or occupations;

AND WHEREAS Item 5 of the 5th Report of the Legislation and Fire Committee, adopted by City Council on May 8, 1979, authorizes the deletion of various classes of licences listed therein.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedules 10, 11, 14, 18 and 20 of By-law No. 73-342 are repealed.

2. (1) Subsection 2 of section 2 of schedule 5 of By-law No. 73-342 is repealed.

(2) Subsection 3 of section 6 of schedule 5 of By-law No. 73-342 is amended by striking out the preamble and substituting in lieu thereof the following:

(3) Every person carrying on business as an owner, for which a licence is required under this schedule, or as a driver, shall be responsible,

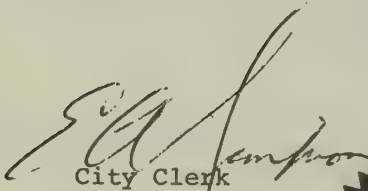
3. Clause (f) of subsection 3 of section 1 of schedule 15 of By-law No. 73-342 is amended by striking out at the end thereof "or miniature golf course".

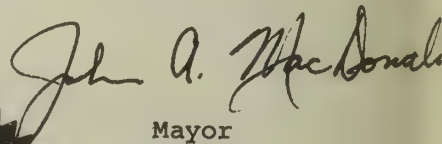
4. (1) Paragraph 3 of section 7 of By-law No. 10467 is amended by striking out "gasoline" in the second line.

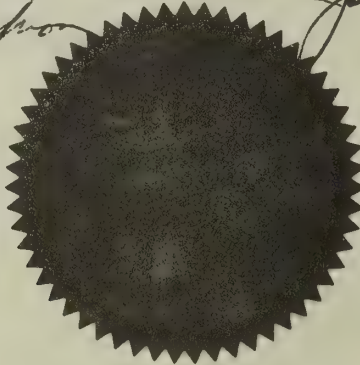
(2) Section 1 of schedule 3 of By-law No. 10467 is amended by striking out "gasoline" in the third line.

5. Paragraphs 1, 16, 24, 27, 35 and 36 of section 2 of By-law No. 10467, as amended by By-law No. 75-335 passed on the 9th day of December, 1975, are repealed.

PASSED this 29th day of May A.D. 1979.


City Clerk


Mayor



(1979) 5 R.L.F.C. 5, May 8

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 165

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA EAST OF UPPER PARADISE ROAD
AND NORTH OF STONE CHURCH ROAD WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27C of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

(a) by changing from "RT-10" (Townhouse) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "D" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variances as special requirements:

1. Notwithstanding section 10(1)(iii) of By-law No. 6593, townhouses shall be prohibited.

2. Notwithstanding section 10(3)(ii) of the said By-law, no side yard shall be required along one side of each lot, except that a minimum side yard of 4 feet shall be required for that side of a lot flanking a street.

3. Notwithstanding section 10(4)(i) of the said By-law, a lot for a single family dwelling shall have, within the district, a width of at least 30 feet and an area of at least 3,000 square feet.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "D" District provisions,

subject to the special requirements referred to in section 2.

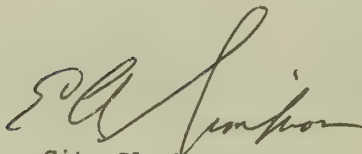
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-645".

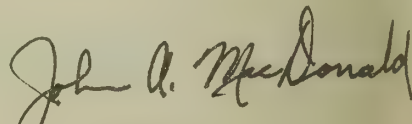
5. Sheet No. W-27C of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-645".

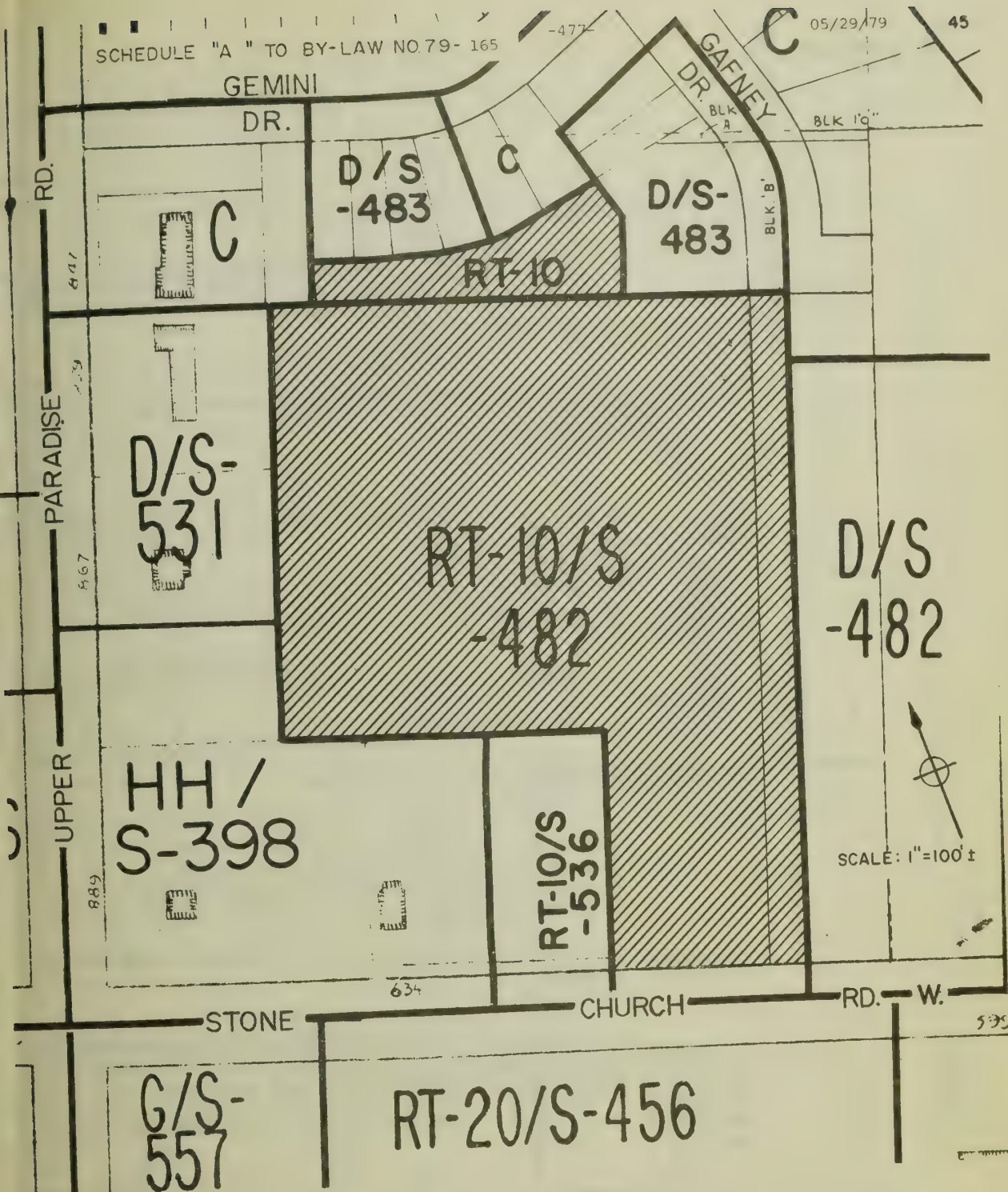
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 29th day of May A.D. 1979.


City Clerk


Mayor



LEGEND

 Lands on Part of Sheet No. W-27C of The Zoning District Maps to be re-zoned from "RT-10" (Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.

Bill No. 170

This is Schedule "A" to By-law No.79- 165 passed the 29th day of May A.D., 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 166

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR PART OF PROPERTY AT
MUNICIPAL NO. 580 FENNELL AVENUE EAST

WHEREAS it is intended to change the zoning of the
land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the
Official Plan of the Hamilton Planning Area, approved by the
Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the
City of Hamilton enacts as follows:

1. Sheet No. E-25 of the District Maps, appended to and
forming part of By-law No. 6593, passed on the 25th day of
July, 1950, is amended,

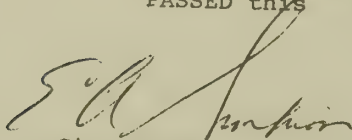
- (a) by changing from "C" (Urban Protected
Residential, etc.) district to "H"
(Community Shopping and Commercial, etc.)
district, the land,

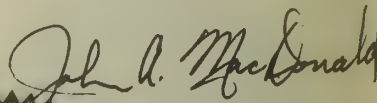
the extent and boundaries of which are shown on a plan hereto
annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to
proceed as soon as possible with the giving of notice of the
passing of this by-law, including a brief explanation of its
purpose, and with the carrying out of all other directions of
the Ontario Municipal Board relating to the giving of such
notice.

3. The City Solicitor is hereby authorized and directed
to make application to the Ontario Municipal Board for the
necessary approval of this by-law.

PASSED this 29th day of May A.D. 1979.


City Clerk


Mayor

BY-LAW NO. 79 - 167

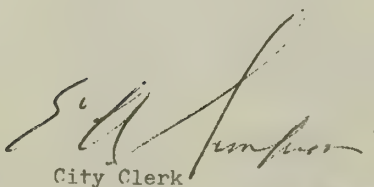
To Amend By-law No. 66-100 To Regulate Traffic

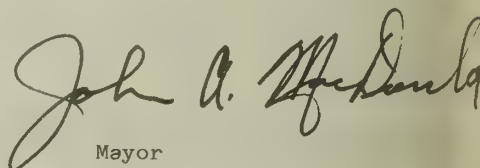
The Council of The Corporation of the City of Hamilton enacts as follows:-

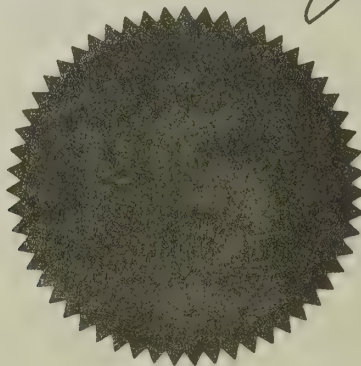
1. Schedule 29 (No Stopping Areas) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Hess West Market to 42 ft. south".

PASSED this 29th day of May, A.D. 1979.


City Clerk


Mayor



BY-LAW NO. 79 - 168

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

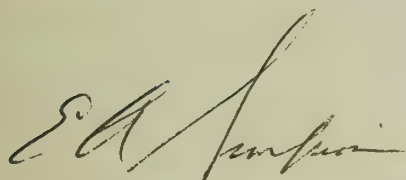
1. Section 35 (Parking Prohibitions) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended by deleting the following sub-section, namely:-

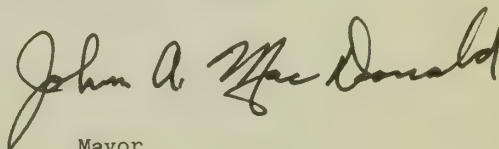
"(c) At Hydrants. Less than ten feet from a point in the edge of the roadway, which is directly opposite a hydrant."

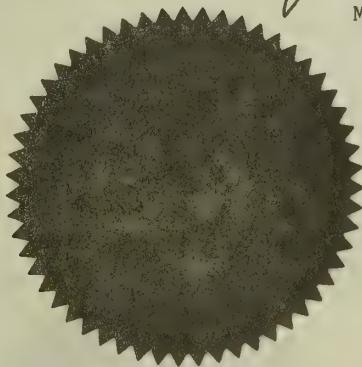
2. Section 40 (Stopping Prohibitions) is hereby amended by adding the following sub-section, namely:-

"(v) At Hydrants. Less than ten feet from a point in the edge of the roadway, which is directly opposite a hydrant."

PASSED this 29th day of May, A.D. 1979.


City Clerk


Mayor



BY-LAW NO. 79 - 169

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Section 45 (Penalties) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by deleting sub-sections (1), (2) and (3), and by substituting therefor the following sub-sections, namely:-

"(1) Where any vehicle is left parked at any parking space for a period of time longer than that permitted at such parking space by the provisions of this By-law, the minimum penalty for the first such period in excess of that permitted shall be Three Dollars, and every succeeding such period shall be a separate offence for each of which the minimum penalty shall be Three Dollars.

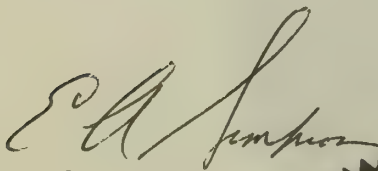
(2) Where any vehicle is parked at any place where parking is prohibited by the provisions of this By-law, the penalty of every such offence shall not be less than Ten Dollars, save as otherwise provided by sub-section 6.

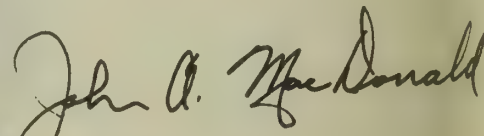
(3) Where any vehicle is stopped at any place where stopping is prohibited by the provisions of this By-law, the penalty for every such offence shall be not less than Twenty Dollars.

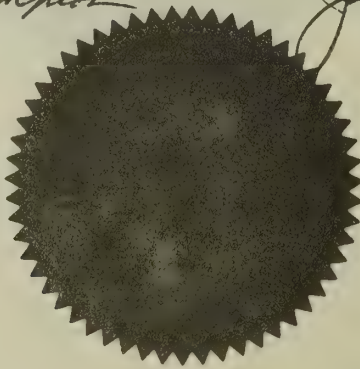
NOTE: For the Owner's Liability for penalties, see The Highway Traffic Act."

2. This By-law shall come into force and take effect on August 1st, 1979.

PASSED this 29th day of May, A.D. 1979.


City Clerk


Mayor



BY-LAW NO. 79 - 170

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

1. Schedule 25 (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966, is hereby amended;

(a) by deleting from Section 10 (Three Hour Limit) the following item, namely:-

"Upper Sherman	East	Concession to Mountain Brow".
----------------	------	-------------------------------

(b) by adding the following sub-section, namely:-

"12. One Hour Limit between the hours of 8 o'clock in the forenoon and 8 o'clock in the afternoon, on the following streets or parts of streets, excepting such parts of the same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Upper Sherman	East	Concession to Mountain Brow".

2. Schedule 26 (No Parking Areas) is hereby amended;

(a) by deleting from Section A (No Parking Anytime) the following items, namely:-

"Nash	West	King to Queenston
Nash	Both	Queenston to northerly end",

and by adding thereto the following items, namely:-

"Nash	West	Glen Echo (northerly leg) to Queenston
Nash	West	Berton to northerly end .
Nash	East	Queenston to northerly end
Roosevelt	West	End to End
Clyde	West	End to End
Balmoral	East	Dunsmure to 93 ft. north
Balmoral	West	Dunsmure to 60 ft. north
Balmoral	West	Dunsmure to 48 ft. south
Balmoral	East	Dunsmure to 52 ft. south".

(b) by adding to Section C (No Parking 7:00 AM-6:00 PM) the following items, namely:-

"Nash	West	King to Glen Echo
Nash	West	Queenston to Berton".

3. Schedule 26A (No Parking Areas) is hereby amended by adding the following sub-section, namely:-

"F. NO PARKING 8:00 AM-4:00 PM
Except as varied by Schedule 26, Section A,
Schedule 26A, Sections A, B, C and 29

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Myrtle	East	From 160 ft. south of Main to 20 ft. southerly".

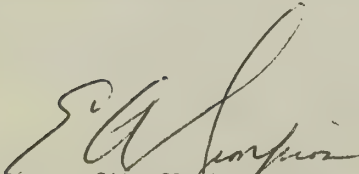
4. Schedule 27 (Alternate Side Parking) is hereby amended by deleting therefrom the following item, namely:-

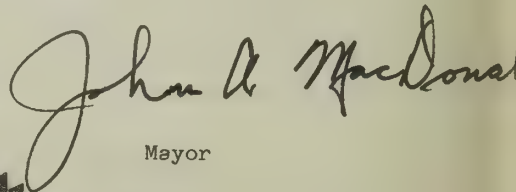
"Clyde,
Cannon to Wright

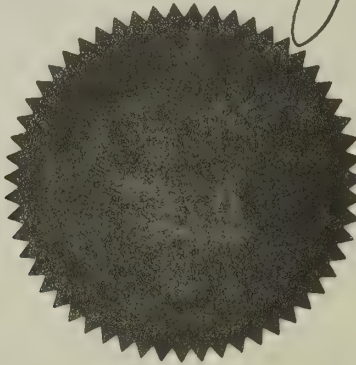
West

East".

PASSED this 29th day of May A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 171

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 500 OTTAWA STREET NORTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G-2" (Regional Shopping Centres) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. Notwithstanding section 13B of By-law No. 6593, a paint and body shop accessory to a car sales agency shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-2" District provisions, subject to the special requirement referred to in section 1.

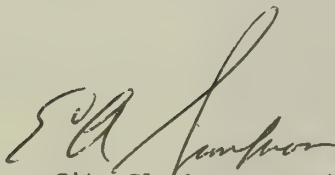
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-652".

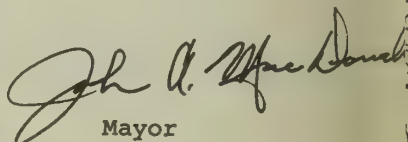
4. Sheet No. E-53 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-652".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

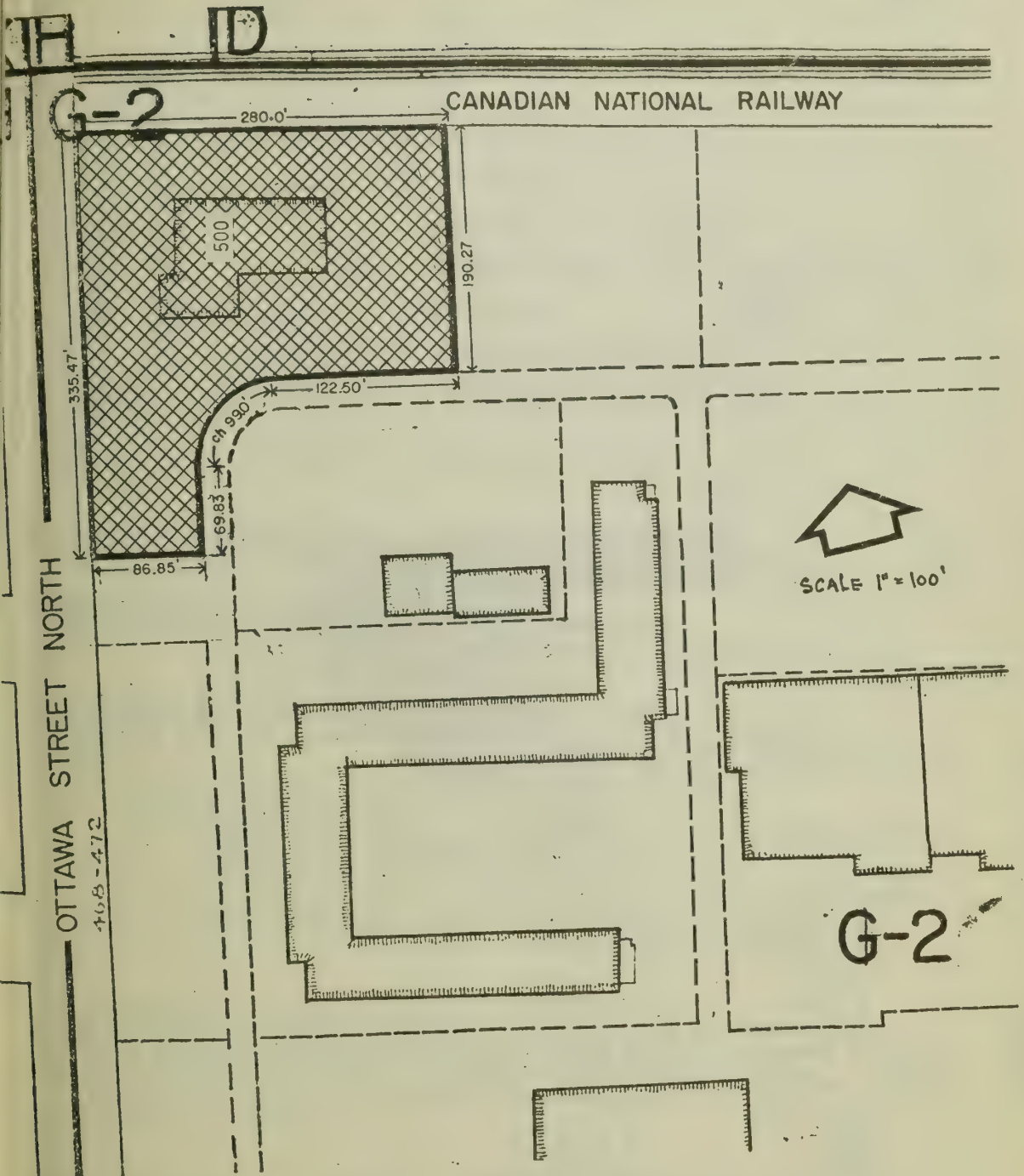
PASSED this 29th day of May A.D. 1979.


City Clerk


Mayor



(1979) 20 R.P.D.C. 3, May 29
Centre Car Company, Lessee
Z.A. 79-22



LEGEND

 Lands on part of sheet No. E-53 of the zoning district maps to be regulated by By-law No. 79- 171

Bill No. 176

This is Schedule "A" to By-law No. 79-171 passed the 29th day of May A.D., 1979

City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 172

To Amend:

Zoning By-law No. 6593

Respecting:

PART OF PROPERTIES LOCATED AT MUNICIPAL NOS.
1151, 1155 and REAR of 1165 and 1171 UPPER JAMES STREET
AND PROPERTY LOCATED AT MUNICIPAL NO. 1157 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the
lands hereinafter referred to;

AND WHEREAS this by-law is in conformity with the
Official Plan of the Hamilton Planning Area, approved by the
Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the
City of Hamilton enacts as follows:

1. Sheet No. E-9B of the District Maps, appended to and
forming part of By-law No. 6593, passed on the 25th day of
July, 1950, is amended,

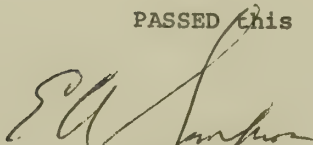
- (a) by changing from "AA" (Agricultural)
district and "C" (Urban Protected
Residential, etc.) district to "HH"
(Restricted Community Shopping and
Commercial) district, the land,

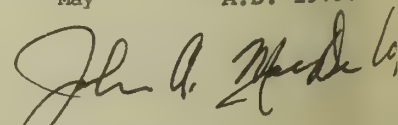
the extent and boundaries of which are shown on a plan hereto
annexed as schedule "A".

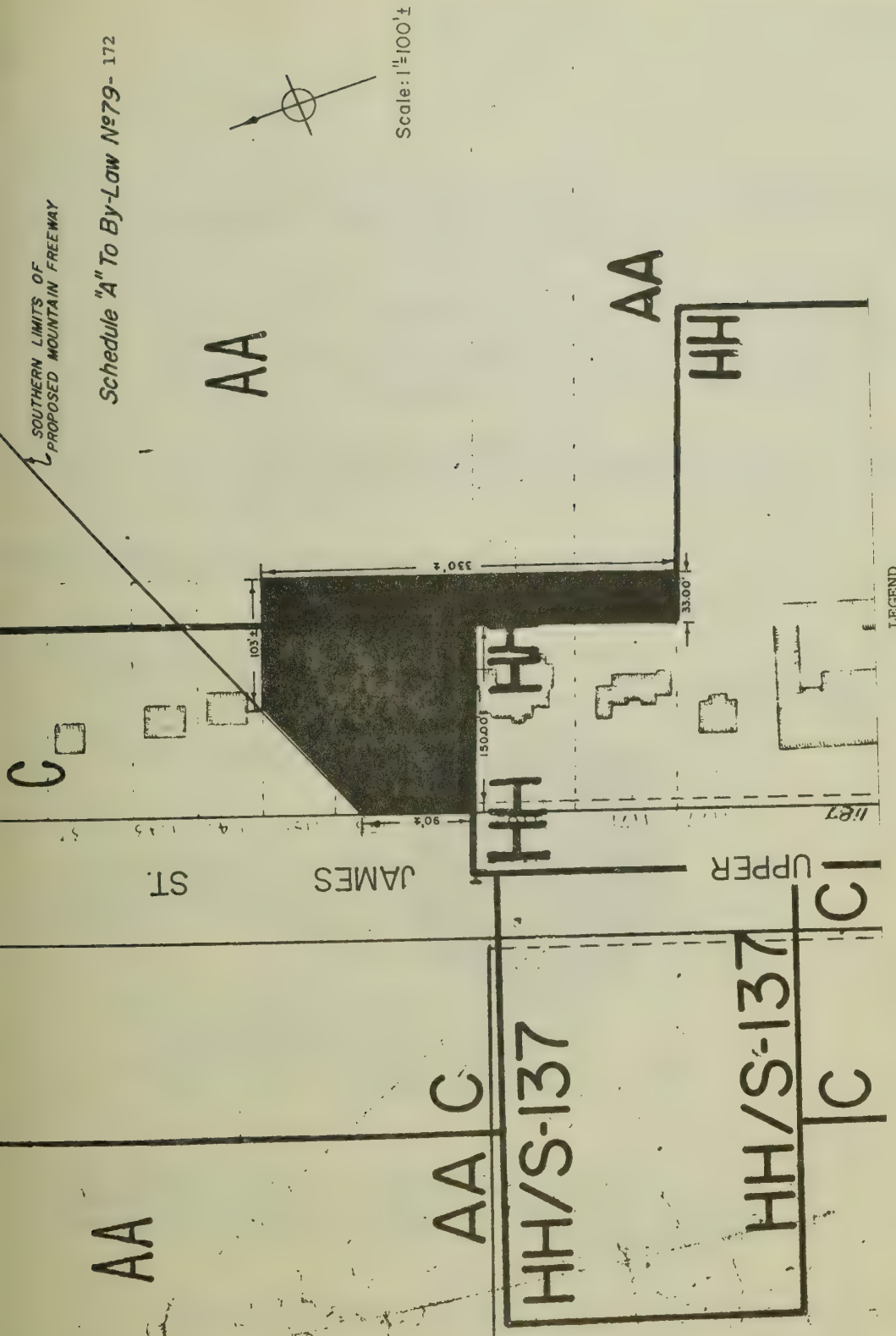
2. The City Clerk is hereby authorized and directed to
proceed as soon as possible with the giving of notice of the
passing of this by-law, including a brief explanation of its
purpose, and with the carrying out of all other directions of
the Ontario Municipal Board relating to the giving of such
notice.

3. The City Solicitor is hereby authorized and directed
to make application to the Ontario Municipal Board for the
necessary approval of this by-law.

PASSED this 29th day of May A.D. 1979.


City Clerk


Mayor



Lands on Part of Sheet No. E-9B of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "HH" Restricted Community Shopping and Commercial District.

LEGEND

Bill No. 177

This is Schedule "A" to By-law No. 79- 172 passed the 29th day of May A.D., 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

Bill No. 178

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 173

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS.
652, 652 1/2 and 654 BARTON STREET EAST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. Notwithstanding section 14(1) of By-law No. 6593, a commercial use that is a banquet hall with a maximum seating capacity of not more than 90 persons, shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "H" District provisions,

subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-644".

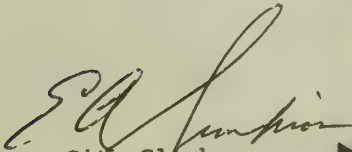
05/29/79

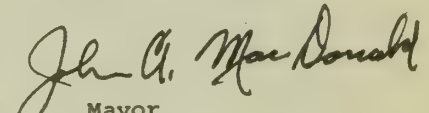
4. Sheet No. E-21 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-644".

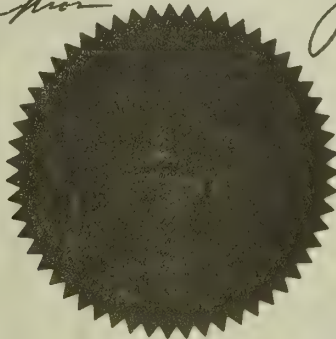
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 29th day of May A.D. 1979.


City Clerk

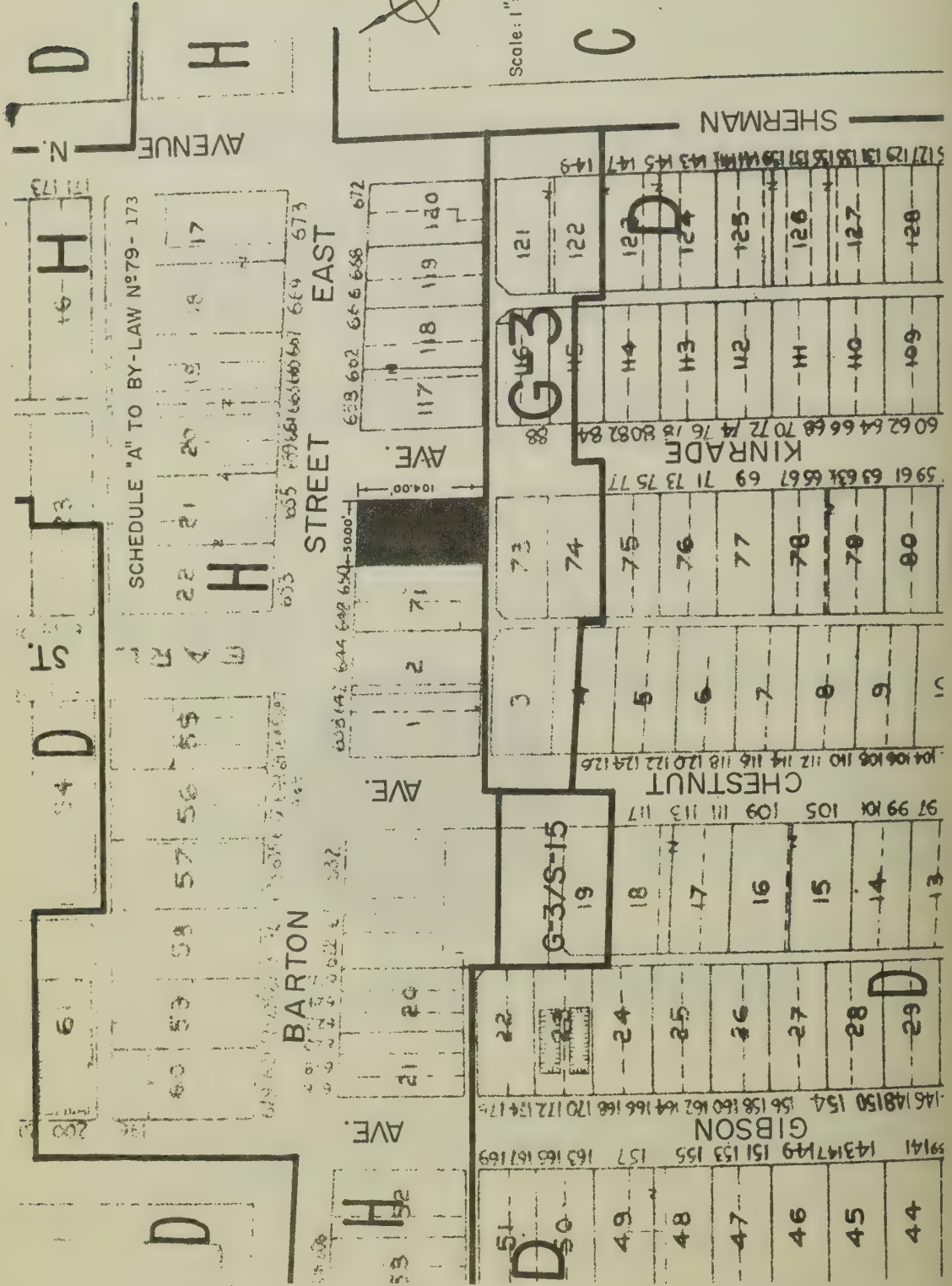

Mayor



(1979) 16 R.P.D.C. 3, April 24
C. Chiaravalle and F. DiGiantomasso, Owners
Z.A. 79-14

05/29/79

Scale: 1" = 100'



LEGEND

Lands on part of Sheet No. E-21 of The Zoning District Maps to be regulated by By-law

This is Schedule "A" to By-law No. 79-173 passed the 29th day of May A. D., 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

Bill No. 178

Bill No. 180

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 174

To Repeal:

Zoning By-law No. 79-43

Respecting:

LAND LOCATED IN THE AREA NORTH OF BARTON STREET EAST
BETWEEN WELLINGTON STREET NORTH AND BIRCH AVENUE

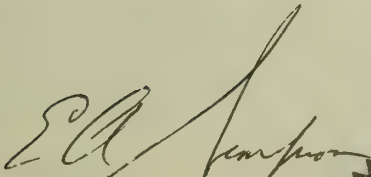
WHEREAS By-law No. 79-43, passed on the 30th
day of January, 1979, rezoned land in the aforesaid area
and established special requirements;

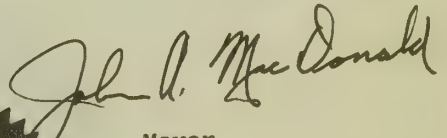
AND WHEREAS Item 6(i) of the 16th Report of the
Planning and Development Committee, adopted by City Council
on April 24, 1979, directed the repeal of By-law No. 79-43.

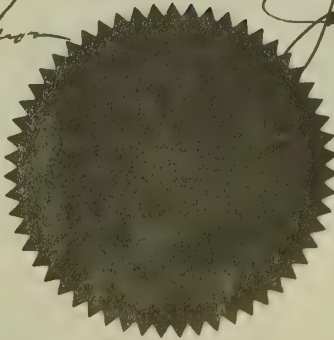
NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

1. By-law No. 79-43 is repealed.

PASSED this 29th day of May A.D. 1979.


City Clerk


Mayor



(1979) 16 R.P.D.C. 6(i), April 24
City Initiative 78-T

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 175

Respecting:

APPORTIONMENT OF COSTS OF DIVISION FENCES

WHEREAS paragraph 21 of subsection 1 of section 354 of The Municipal Act, R.S.O. 1970, Chapter 284 provides as follows:

354(1) By-laws may be passed by councils of local municipalities:

21. For determining how the cost of division fences shall be apportioned, and for providing that any amount so apportioned shall be recoverable under The Summary Convictions Act, provided that, until a by-law is passed, The Line Fences Act applies;

AND WHEREAS it is desirable to provide for the apportionment and recovery thereof in lieu of the application of The Line Fences Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,

- (a) "adjoining owner" means the person who owns a parcel of land abutting the parcel of the owner mentioned in clause (d), but does not include the city, the region, a local board within the meaning of The Municipal Affairs Act and the Hamilton Region Conservation Authority;
- (b) "city" means the City of Hamilton;
- (c) "division fence" means a fence marking the boundary between abutting parcels of land;
- (d) "owner" means the owner or occupant of the parcel of land requiring, arranging for or performing the work;
- (e) "region" means the Regional Municipality of Hamilton-Wentworth;
- (f) "work" means construction, reconstruction, repair, maintenance or up-keep of a division fence.

2. The cost of the work for a division fence shall be paid as follows:

1. Fifty percent of the cost of the work by the owner; and
2. Fifty percent of the cost of the work by the adjoining owner.

3. Every owner or adjoining owner who fails to pay his apportioned cost of the work in accordance with section 2, is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000, exclusive of costs and to payment of his apportioned cost of the work.

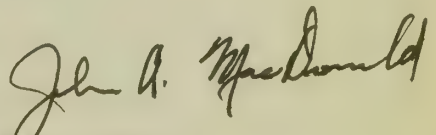
4. The apportioned cost of the work to which the owner and adjoining owner are liable under section 2, shall be paid, on summary conviction,

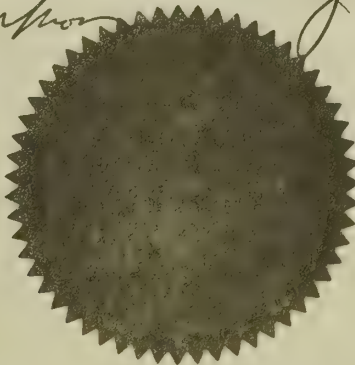
- (a) where the adjoining owner has failed to pay, to the owner;
- (b) where the owner has failed to pay, to the adjoining owner.

5. Where recovery of the apportioned cost of the work is sought, the owner or adjoining owner shall recover the apportioned cost under The Provincial Offences Act, 1979.

PASSED this 29th day of May A.D. 1979.


City Clerk


Mayor



Direction, Board of Control
May 8, 1979

BY-LAW NO. 79 - 176

TO ESTABLISH AND LAY OUT A PORTION OF
SUMMERLEA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to establish a portion of the highway known as "Summerlea Drive" at a width of 19.51 metres (64 feet).

AND WHEREAS the lands required for such purposes are owned by The Corporation of the City of Hamilton.

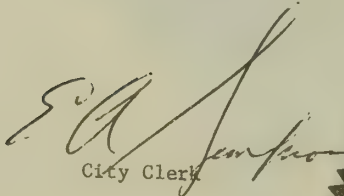
AND WHEREAS Section 450 of the said The Municipal Act requires that the Council may not lay out any highway less than 66 feet wide without the approval of the Minister of Housing.

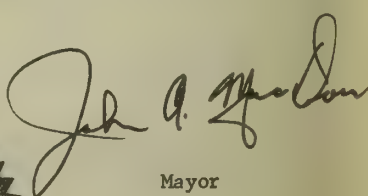
AND WHEREAS the Honourable Claude F. Bennett, the Minister of Housing has, by document dated May 29, 1979 (copy of which is attached hereto as Schedule "A"), granted approval to the laying out of Summerlea Drive as described herein.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "B" appended hereto are hereby established and laid out as public highway under the name "Summerlea Drive".
2. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 29th day of May A.D. 1979


City Clerk


Mayor



SCHEDULE "B"

DESCRIPTION FOR BY LAW TO EXTEND

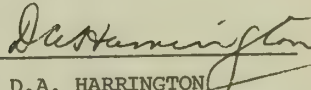
SUMMERLEA DRIVE

First:

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Block "AX" according to Kingsberry Estates (Phase 1) filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-185, and being more particularly described as all of Part 8 according to a Reference Plan received and deposited in the said Land Registry Office on May 23, 1979 as Plan 62R-4821.

Secondly:

All and singular those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of parts of Lot 3, Concession 6, Township of Barton and which said parcels may be more particularly described as all of Part 1 and 2 according to a Reference Plan received and deposited in the said Land Registry Office on May 23, 1979 as Plan 62R-4821.


D.A. HARRINGTON
ONTARIO LAND SURVEYOR

Department of Engineering
9 May, 1979
DAH:sr

MOHAWK ROAD

REGENCY STREET

SUMMERLEA DRIVE

METRIC

PLAN 62R-4821

THIS SURVEY WAS MADE IN ACCORDANCE WITH THE METRIC ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.

LAND SURVEY ACT, 1975 (S.O. 1975, C. 24)

THIS SURVEY WAS MADE IN ACCORDANCE WITH THE METRIC ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.

DATE: May 29, 1979

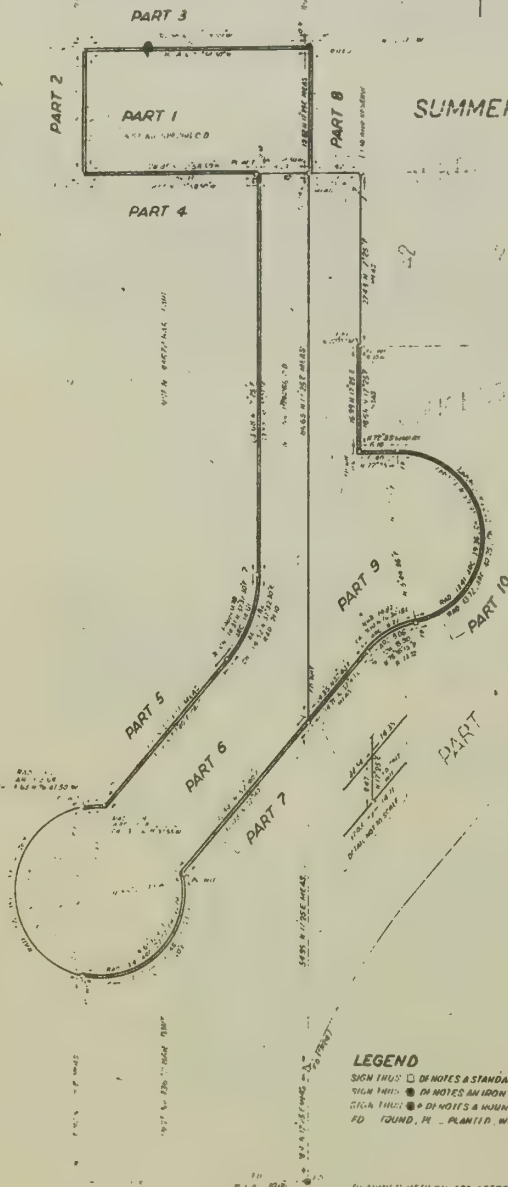
D. A. HAMILTON, P.E., SURVEYOR

APPROVED

DATE

EXAMINED BY SURVEYOR

CAUTION: THIS SURVEY WAS MADE IN ACCORDANCE WITH THE METRIC ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.



REFERENCE PLAN SHOWING
BLOCK A & BLOCK A' - KINGSBERRY ESTATES (PHASE I)
PLAN M 185

PART OF LOT 3 CONCESSION 6

FORMERLY IN THE
TOWNSHIP OF BARTON

NOW IN THE

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON WENTWORTH

SCALE 1:500

D. A. HAMILTON, ONTARIO LAND SURVEYOR
10-3

LEGEND

SIGN THIS: □ DI NOTES A STANDARD IRON NAIL 1" x 6"
SIGN THIS: ● DI NOTES AN IRON NAIL 3/8" x 1/2"
SIGN THIS: ○ DI NOTES A NAIL IN IRON NAIL 3/8" x 1/2"
FO. FOUND, PL. PLANTED, WIT. WITNESS

BEARINGS HEREON ARE AZIMUTHIC AND ARE
RETURNED TO THE WEST LIMIT OF HUNG & TWA FOR
RECORD AS SHOWN ON PLAN M 185

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT
1 THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE SURVEY ACT, THE LAND TITLES ACT, THE REGISTRY ACT AND
THE REGULATIONS MADE THEREUNDER
2 THE SURVEY WAS COMPLETED ON THE 18TH DAY OF MAY 1979

May 29, 1979

D. A. HAMILTON
ONTARIO LAND SURVEYOR

CITY OF HAMILTON			
DEPARTMENT OF ENGINEERING - LAND SURVEYS			
LOCUST PLACE - SUMMERLEA DRIVE			
SURVEY BY A	FIELD WORK	FILE NO.	DATE
DRAWN BY	REF. DWG. NO.	CHECKED	
APPROVED			
W. Phillips		D. A. Hamilton	
CITY ENGINEER		CITY SURVEYOR	
PLAN No. SS-1477 SURVEYS			

METRIC

PLAN 62R-4821

MEASUREMENTS SHOWN ON
THIS PLAN ARE IN METERS
AND MAY BE CONVERTED TO
FEET BY DIVIDING BY
0.3048

THIS PLAN IS AND IS TO BE
FILED IN THE OFFICE OF THE
DEPARTMENT OF LAND SURVEYS

DATE

LAND SURVEYOR FOR THE REGION OF
ONTARIO

IN WITNESS WHEREOF, I HAVE
SIGNED THIS PLAN AND THE
LAND TITLES ACT AND THE REGISTRY ACT

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CAUTION THIS PLAN IS NOT A
PLAN IN SUBDIVISION WITHIN THE
MEANING OF THE PLANNING ACT

MOHAWK ROAD

REGENCY STREET

SUMMERLEA DRIVE

DRIVE

PART 3

PART 1

PART 4

PART 9

PART 10

PART 5

PART 6

PART 7

REFERENCE PLAN SHOWING
BLOCK A: BLOCK A: KINGSBERRY ESTATES (PHASE I)
PLAN M 185

PART OF LOT 3 CONCESSION 6

FORMERLY IN THE

TOWNSHIP OF BARTON

NOW IN THE

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON WESTWORTH

SCALE 1:500

D A HAMILTON ONTARIO LAND SURVEYOR

10/75

LEGEND

SIGN THIS  DENOTES A STANDARD IRON BAR 1" x 6"
AND THIS  DENOTES AN IRON BAR 1/2" x 6"
SIGN THIS  DENOTES A ROUNDED IRON BAR 1" x 6"
FO FOUND, PL PLANTED, WIT WITNESS

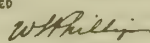
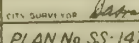
BEARINGS HEREON ARE ASTRONOMIC AND ARE
REFERRED TO THE WEST LIMIT OF BLOCK A ON A COURSE
N 17° 57' AS SHOWN ON PLAN M 185

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT
1 THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE SURVEYS ACT, THE LAND TITLES ACT, THE REGISTRY ACT AND
THE REGULATIONS MADE THEREUNDER
2 THE SURVEY WAS COMPLETED ON THE 10TH DAY OF MAY 1979

 DATE
D A HAMILTON ONTARIO LAND SURVEYOR

DEPARTMENT OF ENGINEERING - LAND SURVEYS

LOCUST PLACE - SUMMERLEA DRIVE		PROPOSED LIMITS	
SURVEY BY: J. P.	FIELD WORK: J. P.	FILE NO: 100	DATE: 10/75
DRAWN BY: J. P.	FILE NO: 100	FILE NO: 100	FILE NO: 100
APPROVED: 	CITY SURVEYOR: 	PLAN No SS-1477 SURVEYS	



Ontario

Ministry
of
Housing

Plans Administration Division

56 Wellestree
8th Floor
Toronto, Ont.
M7A 2K4

416/965-6418

1979-05-29

Mr. W. M. McCulloch
Office of the City Solicitor
City Hall
Hamilton, Ontario
L8N 3T4

Subject: City of Hamilton
Proposed By-law to open
Summerlea Drive-Approval
under section 450 of
The Municipal Act

Dear Mr. McCulloch:

This refers to your letters of May 16 and 23, 1979 and the accompanying documentation in support of an application for the Minister's approval of a by-law to open part of Summerlea Drive at less than 66 feet in width.

I attach a certificate signed by the Minister granting the necessary approval. I understand that the city also proposes to open an additional street in this area to serve the surrounding draft plans of subdivision. This will require similar handling and approval.

Yours truly,

W. Walker
Operations and Development
Control Branch

Attach.

05/29/79



Office of the
Minister

Ministry
of
Housing

Hearst Block
Queen's Park
Toronto Ontario
M7A 2K5
416/965-6456

APPROVAL IS HEREBY GIVEN UNDER SECTION 450 OF THE MUNICIPAL ACT TO THE LAYING OUT OF PART OF SUMMERLEA DRIVE IN THE CITY OF HAMILTON, REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH AT LESS THAN 66 FEET IN WIDTH. THE LANDS TO BE LAID OUT AT A WIDTH LESS THAN 66 FEET ARE SHOWN AS PART 1 ON PLAN 62R4821 DEPOSITED IN THE LAND REGISTRY OFFICE FOR THE REGISTRY DIVISION OF WENTWORTH (No.62) ON THE 23RD OF MAY 1979.

DATED AT TORONTO THIS 29th DAY OF May 1979.

A large, stylized handwritten signature of Claude F. Bennett.

CLAUDE F. BENNETT
MINISTER

Bill No. 179

BY-LAW No. 79- 177

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE 29TH DAY OF MAY A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

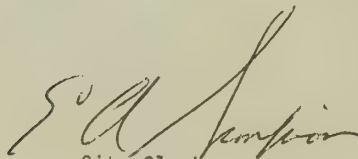
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

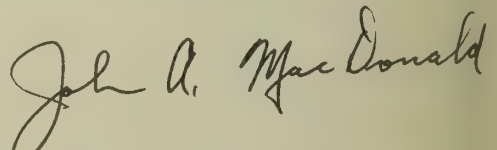
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 29th day of May

A.D., 1979.


City Clerk


Mayor



Bill No. 156

The Corporation of the City of Hamilton

BY-LAW NO. 79-178

To Levy:

AN ANNUAL TAX ON TELEGRAPH AND TELEPHONE
COMPANIES DOING BUSINESS IN ONTARIO

Respecting:

THE BELL TELEPHONE COMPANY OF CANADA AND
CANADIAN NATIONAL TELECOMMUNICATIONS AND
CANADIAN PACIFIC TELECOMMUNICATIONS

WHEREAS section 304a of The Municipal Act, R.S.O. 1970, Chap. 284, as enacted by section 6 of The Municipal Amendment Act, 1972 (No. 2) empowers the Council of The Corporation of the City of Hamilton to levy on every telegraph and telephone company doing business in Ontario an annual tax equal to 5 per cent of the total gross receipts of such company for the preceding year;

AND WHEREAS The Bell Telephone Company of Canada is a telephone company doing business in the Municipality of the City of Hamilton;

AND WHEREAS Canadian National Railway Company is a company doing telegraph business in the Municipality of the City of Hamilton under the name and style of Canadian National Telecommunications;

AND WHEREAS Canadian Pacific Limited is a company doing telegraph business in the Municipality of the City of Hamilton under the name and style of Canadian Pacific Telecommunications;

AND WHEREAS the gross receipts of The Bell Telephone Company of Canada, doing business within the Municipality of The City of Hamilton is in the amount of \$53,497,213.00 for the year ended the 31st day of December, 1978;

AND WHEREAS the joint gross receipts of Canadian National Telecommunications and Canadian Pacific Telecommunications is in the amount of \$287,630.60 for the year ended December 31st, 1978;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. It is hereby authorized and directed that a tax for the fiscal year ended December 31, 1979 be levied,

- (a) on the Bell Telephone Company of Canada Limited in the amount of \$2,674,860.65 and
- (b) jointly on Canadian National Railway Company doing business as Canadian National Telecommunications and Canadian Pacific Limited doing business as Canadian Pacific Telecommunications in the amount of \$14,381.53.

2. That the tax levied hereunder shall be collected in the same manner as municipal taxes are collectible and is a special lien under section 511 of The Municipal Act on all the lands of,

- (a) The Bell Telephone Company of Canada,
- (b) Canadian National Railway Company and Canadian Pacific Limited for any respective amounts that are due under the by-law.

PASSED this 7th day of

June

A.D., 1979.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79-179

TO FIX THE RATES OF TAXATION
FOR MUNICIPAL PURPOSES FOR THE YEAR 1979

WHEREAS it is necessary that the Estimates, as prepared by the Board of Control for the year 1979 which set forth the revenues of The Corporation of the City of Hamilton, and the expenditures of The Corporation of the City of Hamilton,

- (a) for municipal, and
- (b) necessary for the purposes of any duly constituted board, commission or other body of The Corporation of the City of Hamilton

be approved, and

WHEREAS it is necessary to impose rates of taxation for the year 1979,

- (a) for municipal purposes, and
- (b) for the purpose of any duly constituted board, commission or other body of The Corporation of the City of Hamilton.

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

1. The estimates,

- (a) of the revenues
- (b) of the expenditures,

of The Corporation of the City of Hamilton for the year 1979 as prepared by the Board of Control, are hereby approved.

2. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of \$854,117,435.00, of which \$488,017,085.00 is Residential assessment and \$366,100,350.00 is Non-Residential assessment, the following rates of taxation,

- | | |
|--|------------------------|
| (a) for general municipal purposes 45.7278 mills producing | \$39,056,930.00 |
| (b) for the payment of debenture principal and interest of the general municipal fund 6.3698 mills producing | 5,440,520.00 |
| (c) for the purposes of the Public Library Board 4.9570 mills producing | 4,233,870.00 |
| | <u>\$48,731,320.00</u> |

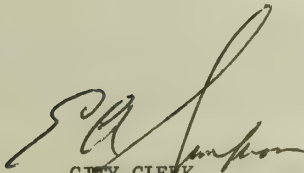
3. The amount to be levied and raised against "residential" assessments in the amount of \$488,017,085.00 determined as required by The Municipal Act shall be reduced by \$4,176,550.00 or 8.5582 mills in accordance with Section 7(3) of the Ontario Unconditional Grants Act 1975

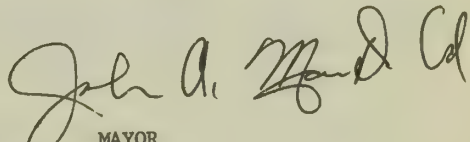
4,176,550.00
\$44,554,770.00

- 2 -

4. The rate to be levied against "residential" assessments determined as required by The Municipal Act for Municipal purposes is 48.4964 mills on the dollar.
5. The rate to be levied against "non-residential" assessments determined as required by The Municipal Act for Municipal purposes is 57.0546 mills on the dollar.
6. This by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this 7th day of June A.D., 1979.


CITY CLERK


MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 79-180

TO FIX THE RATES OF TAXATION FOR REGIONAL PURPOSES FOR THE YEAR 1979

WHEREAS the Regional Municipality of Hamilton-Wentworth has approved the requisition to The Corporation of the City of Hamilton for \$43,964,896.00 representing the City of Hamilton's share of the cost of operating the Regional Municipality of Hamilton-Wentworth for the year 1979.

AND WHEREAS after the deduction of \$4,157,790.00 of 1979 estimated shared revenues, the funds for which have been provided in the City of Hamilton 1979 Estimates, and the net levy adjustments relating to prior years in the amount of \$328,285.00, it is intended to levy against the ratepayers of the City of Hamilton the resulting net amount of \$40,135,391.00 for the year 1979.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of \$854,117,435.00, of which \$488,017,085.00 is Residential assessment and \$366,100,350.00 is Non-residential assessment, the following rates of taxation:

(1) for Regional purposes 51.3953 mills producing ... \$43,897,620.00

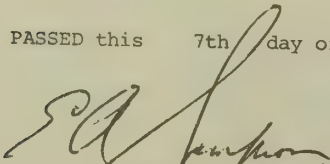
(2) the amount to be levied and raised against "residential" assessments in the amount of \$488,017,085.00 determined as required by The Municipal Act shall be reduced by \$3,762,229.00 or 7.7093 mills in accordance with Section 7(3) of the Ontario Unconditional Grants Act 1975 3,762,230.00
\$40,135,390.00

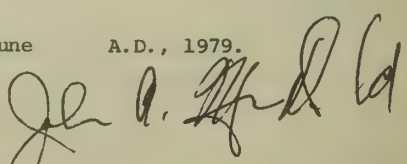
(3) the rate to be levied against "residential" assessments determined as required by The Municipal Act for Regional purposes is 43.6860 mills on the dollar

(4) the rate to be levied against "non-residential" assessments determined as required by The Municipal Act for Regional purposes is 51.3953 mills on the dollar

(5) this by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this 7th day of June A.D., 1979.


CITY CLERK


MAYOR



Bill No. 159

The Corporation of the City of Hamilton

BY-LAW NO. 79- 181

TO FIX THE RATES OF TAXATION FOR SCHOOL PURPOSES FOR THE YEAR 1979

WHEREAS it is necessary that the Estimates of revenues and expenditures of the Board of Education for the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board, as submitted to the Board of Control of the City of Hamilton, for school purposes, be approved, and

WHEREAS it is necessary to impose rates of taxation for the year 1979 for school purposes.

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows,

1. The estimates

(a) of the revenues

(b) of the expenditures,

of the Board of Education for the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board, for the year 1979, as submitted to the Board of Control, and the underlevy in 1978 in the amount of \$556,170.00, are hereby approved.

2. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of \$854,117,435.00, of which \$488,017,085.00 is Residential assessment and \$366,100,350.00 is Non-residential assessment, the following rates of taxation,

(a) for Public School purposes on all rateable property in the amount of \$717,620,098.00 of which \$368,779,993.00 is Residential assessment and \$348,840,105.00 is Non-residential assessment, liable for Public School rates 44.2849 mills producing \$31,779,700.00

(b) for Separate School purposes 44.2849 mills on all rateable property in the amount of \$136,497,337.00, of which \$119,237,092.00 is Residential assessment and \$17,260,245.00 is Non-residential assessment, liable for Separate School rates and which rate was imposed thereon by the Hamilton-Wentworth Roman Catholic Separate School Board and which rate the said Board has requested the Council to levy producing 6,044,770.00

(c) for Secondary School purposes on all rateable property in the amount of \$854,117,435.00 of which \$488,017,085.00 is Residential assessment and \$366,100,350.00 is Non-residential assessment, liable for Secondary School rates 37.1401 mills producing 31,721,980.00
\$69,546,450.00

3. The amount to be levied and raised against assessment in the amount of \$368,779,993.00 determined as required by The Municipal Act shall be reduced by \$1,633,140.00 or 4.4285 mills which is the amount of the estimated revenue from payments to be received by the Board of Education of The Corporation of the City of Hamilton in 1979 under the Schools Administration Act, R.S.O. 1970 1,633,140.00

- 2 -

4. The amount to be levied and raised against assessments in the amount of \$488,017,085.00 determined as required by The Municipal Act shall be reduced by \$1,812,500.00 or 3.7140 mills which is the amount of the estimated revenue from payments to be received by The Board of Education of The Corporation of the City of Hamilton in 1979 under the Schools Administration Act, R.S.O. 1970 1,812,500.00
5. The amount to be levied and raised against assessments in the amount of \$119,237,092.00 determined as required by The Municipal Act shall be reduced by \$528,040.00 or 4.4285 mills which is the amount of the estimated revenue from payments to be received by the Hamilton-Wentworth Roman Catholic Separate School Board in 1979 under the Schools Administration Act, R.S.O. 1970 528,040.00
- \$65,572,770.00
6. The Education rate to be levied against "residential" assessments determined as required by The Municipal Act:
- (a) by Public School supporters is 73.2825 mills on the dollar, and
- (b) by Separate School supporters is 73.2825 mills on the dollar.
7. The Education rate to be levied against "non-residential" assessments determined as required by The Municipal Act:
- (a) by Public School supporters is 81.4250 mills on the dollar, and
- (b) by Separate School supporters is 81.4250 mills on the dollar.
8. This by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this 7th day of June, A.D., 1979.

[Signature]
CITY CLERK

[Signature]
MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 79- 182

TO FIX THE TOTAL RATES OF TAXATION FOR MUNICIPAL,
REGIONAL AND SCHOOL PURPOSES FOR THE YEAR 1979

WHEREAS the Council of The Corporation of the City of Hamilton has approved by-laws 79-179, 79-180 and 79-181 being by-laws to impose rates of taxation for the year 1979 for:

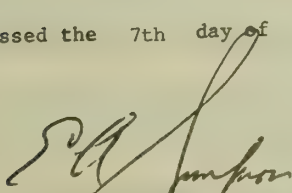
- (a) Municipal purposes
- (b) Regional purposes
- (c) Education purposes;

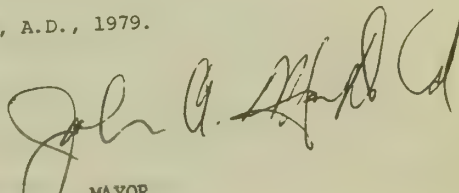
AND WHEREAS it is intended to consolidate herein the levies referred to in said by-laws.

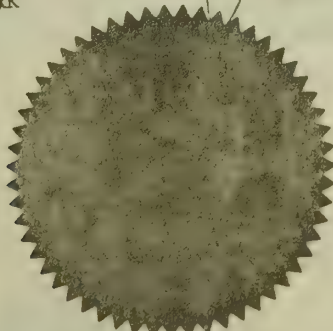
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The total rate to be levied against "residential" assessments determined as required by The Municipal Act:
 - (a) by Public School supporters is 165.4649 mills on the dollar, and
 - (b) by Separate School supporters is 165.4649 mills on the dollar.
2. The total rate to be levied against "non-residential" assessments determined as required by The Municipal Act:
 - (a) by Public School supporters is 189.8749 mills on the dollar, and
 - (b) by Separate School supporters is 189.8749 mills on the dollar.
3. This by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

Passed the 7th day of June, A.D., 1979.


CITY CLERK


MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 79- 183

To Amend:

By-law No. 71-69

Respecting:

Municipal Taxes for the Year 1979

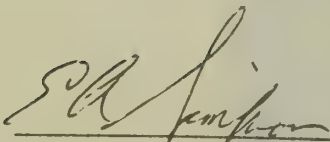
WHEREAS By-law No. 71-69, passed on the 9th day of March, 1971 relates to the levy of municipal taxes;

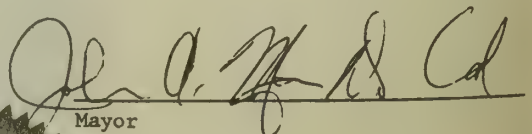
AND WHEREAS it is intended that the date upon which the balance of real property taxes and the balance of business taxes that become due and payable in the year 1979 shall be altered only for the year 1979.

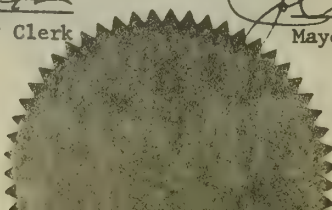
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Notwithstanding subsection 1 of section 2 of By-law No. 71-69, passed on the 9th day of March, 1971, the Clerk shall complete and certify the collector's roll in the year 1979 on or before the seventeenth day of July, 1979.
2. Notwithstanding subsection 2 of section 10 of the said by-law, the balance of the aggregate after deduction made under subsection 1 of the said section 10, shall become due and payable in the year 1979 in a further two approximately equal installments, as follows:
 1. the third installment shall become due and payable on the 31st day of July, 1979; and
 2. the fourth installment shall become due and payable on the 31st day of October, 1979.
3. Notwithstanding section 11 of the said by-law, the Treasurer may allow a discount in the year 1979 of one per cent of the amount equal to the sum of taxes due and payable on the fourth installment where the aggregate of,
 - (a) the third installment of taxes, and
 - (b) the fourth installment of taxes, and
 - (c) all arrears of taxes, and
 - (d) all accumulated penalty and interest,are paid in full on or before the last day of July in the year 1979 on which the office of the Treasurer is open to receive payment of taxes.
4. Notwithstanding subsection 5 of section 14 of the said by-law as enacted by section 1 of By-law No. 74-4, passed on the 15th day of January, 1974, the balance of the business taxes for the year 1979 shall become due and payable on the 31st day of July, 1979.
5. Notwithstanding paragraph 1 of section 19 of the said by-law the following special circumstance is applicable for the year 1979 in lieu of the special circumstance referred to in the said paragraph 1:
 1. In respect of real property assessed in one block upon application for apportionment under The Municipal Act made before July 31, 1979.

PASSED this 7th day of June, 1979 A.D.


City Clerk


Mayor



BY-LAW NO. 79 - 184

TO LIMIT THE INCREASE AND DECREASE IN TAXATION
FOR 1979 OF CERTAIN PROPERTIES IN THE CITY OF HAMILTON
WHICH RESULT FROM CHANGES IN ASSESSMENT

WHEREAS section 505 of The Municipal Act, R.S.O. 1970, Chapter 284, as re-enacted by The Municipal Amendment Act, 1979, provides that councils of municipalities may pass by-laws placing limits on the amount of the increase and decrease in taxation arising out of a general assessment on a basis different from that for the previous year's taxes.

AND WHEREAS the said section states that the by-law shall provide that the reduction in taxes which results from the placing of the limits shall be raised by,

- (a) reducing the amount of the decrease on all other rateable properties, or
- (b) reducing the amount of the decreases on the properties in one or more of the classes of rateable property, or
- (c) charging the reduction in whole or in part to the general funds of the municipality, or
- (d) a combination of the methods in (a), (b), and (c).

AND WHEREAS the general assessment of lands, (known as "the equalized assessment"), in the City of Hamilton, carried out for taxes in 1979, was made on a basis different from that for the taxes in 1978.

AND WHEREAS the said assessment has resulted in substantial increases in taxes in 1979 to certain properties or classes of property.

AND WHEREAS it is deemed desirable to limit the increase and decrease in taxes for certain properties or classes of property.

NOW THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

- 2 -

1. The separately assessed parcels of rateable property set out in the lists attached hereto as Schedule "A" (1-family and 2-family dwellings), Schedule "B" (residential properties containing 3 or more dwelling units) and Schedule "C" (residential portion of properties assessed as "multiple"), are hereby designated classes of rateable property in which the equalized assessment for the taxes in 1979 exceeds the assessment for the taxes in 1978 by more than 15%.
2. Where the taxes in 1979 as a result of equalized assessment on the rateable properties in Schedules "A", "B" and "C" exceed the greater of:
 - (a) \$100.00; and
 - (b) 15% of the taxes for 1978,
 - (1) the amount of the excess is hereby designated the "eligible increase"; and
 - (2) the amount of the increase in taxes for 1979 (resulting from the equalized assessment), is hereby set at \$100.00 or the tax on 15% of the assessment for taxes for 1978, whichever is greater.
3. The separately assessed parcels of rateable property set out in the lists attached hereto as Schedule "D" (commercial and industrial) and Schedule "E" (business tenants), are hereby designated classes of rateable property in which the equalized assessment for the taxes in 1979 exceeds the assessment for the taxes in 1978 by more than 20%.
4. Where the taxes in 1979, as a result of the equalized assessment, on the rateable properties in Schedules "D" and "E" exceed the greater of:
 - (a) \$100.00; and
 - (b) 20% of the taxes for 1978,
 - (1) the amount of the excess is hereby designated the "eligible increase"; and
 - (2) the amount of the increase in taxes for 1979 (resulting from the equalized assessment), is hereby set at \$100.00 or the tax on 20% of the assessment for taxes for 1978, whichever is greater.
5. The separately assessed parcels of rateable property set out in the lists attached hereto as Schedule "F" (residential

properties containing 3 or more dwelling units) and Schedule "G" (residential portion of properties assessed as "multiple"), are hereby designated classes of rateable property in which the equalized assessment for the taxes in 1979 has decreased the assessment for the taxes in 1978 by more than 20%.

6. Where the decrease in taxes for 1979 (resulting from the equalized assessment) on the rateable properties in Schedules "F" and "G" exceeds the greater of:
 - (a) \$50.00; and
 - (b) 20% of the taxes for 1978,
 - (1) the amount of the excess is hereby designated the "eligible decrease"; and
 - (2) the amount of the decrease in taxes for 1979 from 1978 (resulting from the equalized assessment), is hereby set at \$50.00 or the tax on 20% of the assessment for taxes for 1978, whichever is greater.
7. The separately assessed parcels of rateable property set out in the lists attached hereto as Schedule "H" (commercial and industrial) and Schedule "I" (business tenants), are hereby designated classes of rateable property in which the equalized assessment for the taxes in 1979 has decreased the assessment for the taxes in 1978 by more than 10%.
8. Where the decrease in taxes for 1979 (resulting from the equalized assessment) on the rateable properties in Schedules "H" and "I" exceeds the greater of:
 - (a) \$50.00; and
 - (b) 10% of the taxes for 1978,
 - (1) the amount of the excess is hereby designated the "eligible decrease"; and
 - (2) the amount of the decrease in taxes for 1979 from 1978 (resulting from the equalized assessment), is hereby set at \$50.00 or the tax on 10% of the assessment for taxes for 1978, whichever is greater.
9. The reduction in taxes in 1979 pursuant to sections 2 and 4 hereof amounting to approximately \$5,100,000 shall be raised as follows:
 - (1) approximately \$4,200,000 shall be raised by withholding the portion of the eligible decreases:
 - (a) in excess of 20% on the properties in Schedules "F" and "G" and in excess of 10% on the properties in Schedules "H" and "I"; or

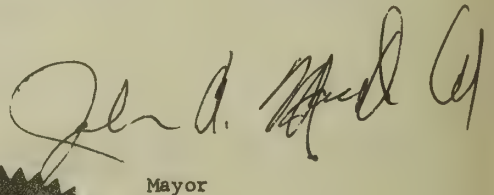
(b) in excess of \$50.00,
whichever is greater.

- (2) approximately \$900,000 shall be raised from the general funds of the municipality.

10. The reductions in taxes for 1980 on the properties listed in Schedules "A", "B", "C", "D" and "E" shall be 66 2/3% of the reductions for 1979.
11. The reductions in taxes for 1981 on the properties listed in Schedules "A", "B", "C", "D" and "E" shall be 33 1/3% of the reductions for 1979.
12. The amounts to be raised from the general funds of the municipality and from the properties listed in Schedules "F", "G", "H" and "I" to offset the reductions for 1980 on the properties listed in Schedules "A", "B", "C", "D" and "E" shall be 66 2/3% of the amounts to be raised for 1979.
13. The amounts to be raised from the general funds of the municipality and from the properties listed in Schedules "F", "G", "H" and "I" to offset the reductions for 1981 on the properties listed in Schedules "A", "B", "C", "D" and "E" shall be 33 1/3% of the amounts to be raised for 1979.
14. There shall be no reduction after 1981.
15. This by-law comes into force upon the coming into force of The Municipal Amendment Act, 1979.

PASSED this 7th day of June A.D. 1979


City Clerk


Mayor



Bill No. 185

BY-LAW No. 79-185

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE 7TH DAY OF JUNE A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

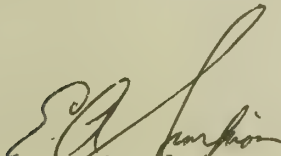
AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 7th day of June A.D., 1979.


City Clerk


Mayor



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PAGE

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 186

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE SOUTH SIDE OF BRAMPTON STREET,
IN THE AREA WEST OF WOODWARD AVENUE

WHEREAS it is intended to change the zoning of
the land hereinafter referred to;

AND WHEREAS this by-law is in conformity with
the Official Plan of the Hamilton Planning Area, approved
by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

1. Sheet No. E-82 of the District Maps, appended to
and forming part of By-law No. 6593, passed on the 25th day
of July, 1950, is amended,

- (a) by changing from "C" (Urban Protected
Residential, etc.) district to "J"
(Light and Limited Heavy Industry, etc.)
district, the land,

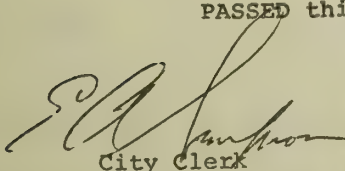
the extent and boundaries of which are shown on a plan hereto
annexed as schedule "A".

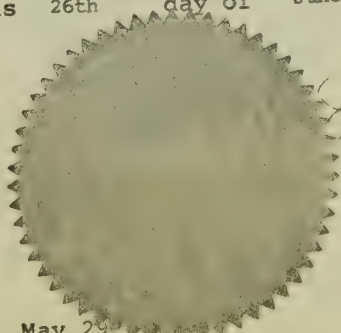
2. The City Clerk is hereby authorized and directed
to proceed as soon as possible with the giving of notice of
the passing of this by-law, including a brief explanation of
its purpose, and with the carrying out of all other directions
of the Ontario Municipal Board relating to the giving of such
notice.

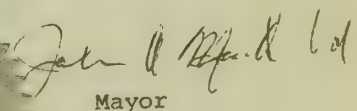
3. The City Solicitor is hereby authorized and directed
to make application to the Ontario Municipal Board for the
necessary approval of this by-law.

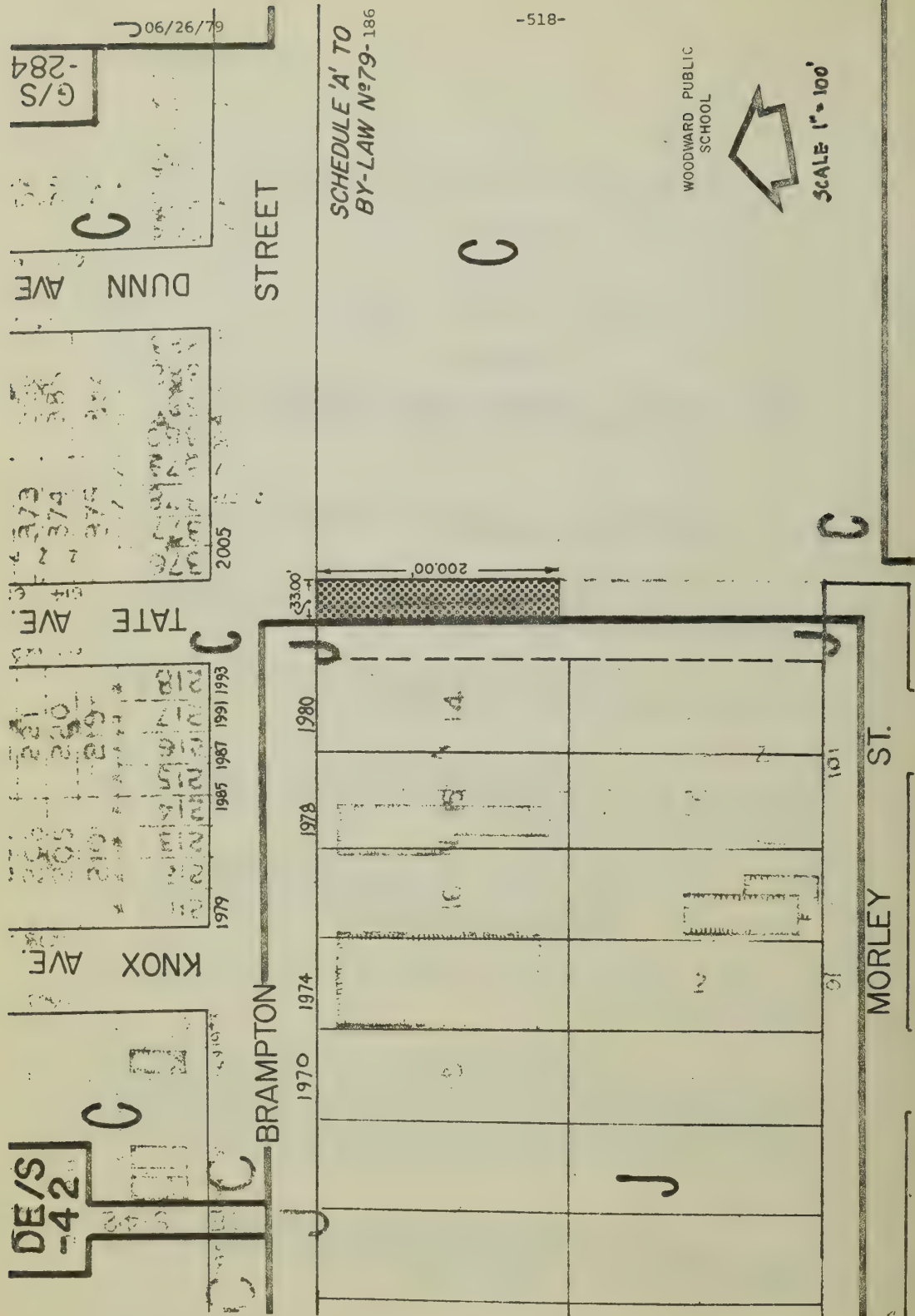
PASSED this 26th day of June

A.D. 1979.


City Clerk




Mayor



WOODWARD PUBLIC
SCHOOL

SCALE 1"=100'

LEGEND

Lands on Part of Sheet No. E-82 of The Zoning District Maps to be re-zoned from "C" (Urban Protected Residential, etc.) District to "J" (Light and Limited Heavy Industry, etc.) District.

Bill No. 186

This is Schedule "A" to By-law No. 19-186 passed the 26th day of June, A.D. 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

BY-LAW NO. 79 - 187

TO ESTABLISH DOFASCO AVENUE
FROM STAPLETON AVENUE TO EAST OF KENILWORTH AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to establish a portion of the highway known as Dofasco Avenue by incorporating within its limits the lands described in Schedule "A" hereto.

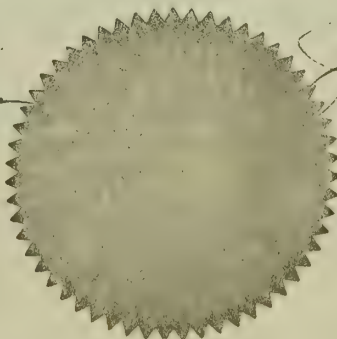
AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

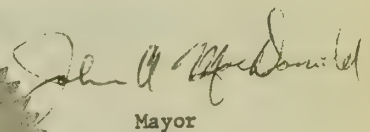
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Dofasco Avenue.
2. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 26th day of June A.D. 1979.


City Clerk




Mayor

SCHEDULE "A"

DESCRIPTION FOR BY LAW TO ESTABLISH
DOFASCO AVENUE FROM STAPLETON AVENUE TO
EAST OF KENILWORTH AVENUE

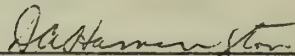
All and singular those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of parts of Lot 2, Concession 1, Township of Barton, all of Lots 469, 488 and 489, part of Lots 470, 471, 472, 490, 491 and 492, and part of a 12' alleyway abutting the said Lots 469, 470, 471, 472, 488, 489 and 490, all according to Hamilton Park registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 505, and which said parcels may be more particularly described as all of Parts 1, 2, 3, 4 and 5 according to a Reference Plan received and deposited in the said Land Registry Office on January 28th, 1976 as Plan 62R-2805.

Parts 1 and 2 being composed of part of Lot 2, Concession 1.

Part 3 being composed of all of Lots 488 and 489 and part of Lots 491 and 492.

Part 4 being composed of part of 12' alleyway.

Part 5 being composed of all of Lot 469 and part of Lots 470, 471 and 472.



D.A. HARRINGTON,
ONTARIO LAND SURVEYOR.

Department of Engineering
5 June, 1979
DAH:sr

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 188

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED IN THE AREA SOUTH OF STONE CHURCH ROAD WEST
AND WEST OF UPPER PARADISE ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with Official Plan Amendment No. 343 of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37C of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,
 - (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and
 - (b) by changing from "AA" (Agricultural) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 2; and
 - (c) by changing from "AA" (Agricultural) district to "G" (Neighbourhood Shopping Centre, etc.) district, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as schedule "A".

2. The "D" District provisions applicable to the land referred to in clause (b) of section 1 are amended to the extent only of the following variance as a special requirement:

1. Section 10(1)(iii) of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land comprised in Block 2 be used, except in accordance with the "D" District provisions, subject to the special requirement referred to in section 2.

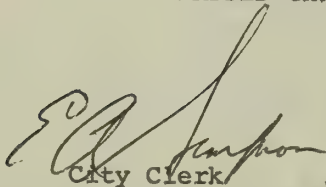
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-642".

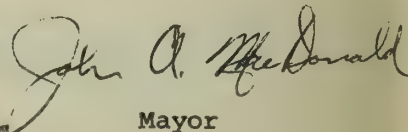
5. Sheet No. W-37C of the District Maps is amended by marking the lands referred to in section 1(b) of this by-law, "S-642".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 26th day of June A.D. 1979.


City Clerk

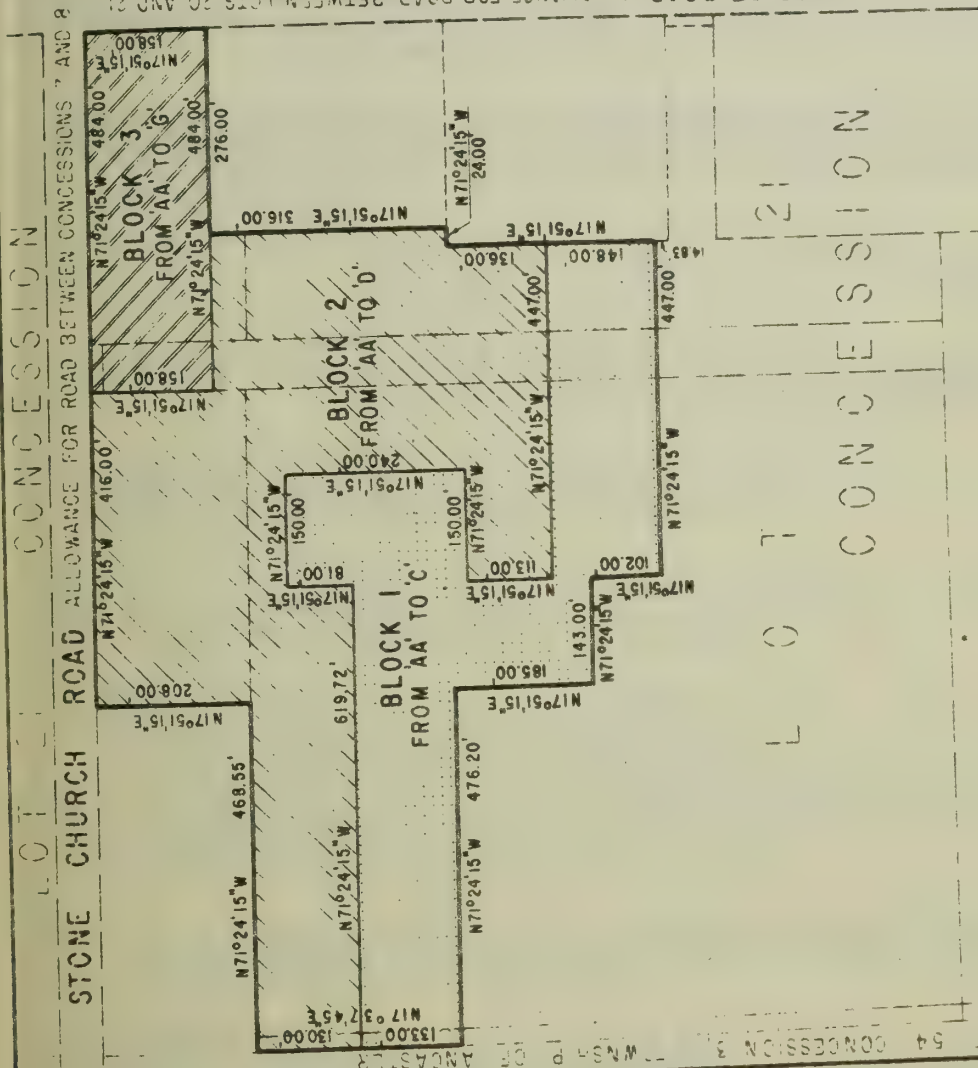

Mayor



(1979) 16 R.P.D.C. 1(b), April 24
Arosa Properties Limited, Owner
Z.A. 76-37

PLAN TO SHOW
PARTS OF LOT 21 CONCESSION 8
FORMERLY IN THE
TOWNSHIP OF BARTON
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF
HAMILTON - WENTWORTH
SCALE 1" = 200'

LOT 20



SCHEDULE 'A' TO BY-LAW NO 79-188

Marshall Macklin Monaghan
Limited



441 JOHN STREET

441 JOHN STREET

441 JOHN STREET

DATE 23 MAY 1979

Ontario Land Surveyor

D J HONE

Bill No.188

This is Schedule "A" to By-law No. 79-188 passed the 26th day of June, A.D. 1979

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 189

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE WEST SIDE OF UPPER WENTWORTH STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-18B and E-18C of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, are amended,
 - (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and
 - (b) by changing from "AA" (Agricultural) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 2; and
 - (c) by changing from "AA" (Agricultural) district to "E-2" (Multiple Dwellings) district, the land comprised in Block 3; and
 - (d) by changing from "AA" (Agricultural) district to "G" (Neighbourhood Shopping Centre, etc.) district, the land comprised in Block 4,

the extent and boundaries of each of which Blocks 1, 2, 3 and 4 are shown on a plan hereto annexed as schedule "A".

2. The "D" and "E-2" District provisions respectively applicable to the lands referred to in section 1, are amended to the extent only of the following variances as special requirements:

1. As to the "D" District provisions applicable to Block 2,
 - (a) section 10(1)(iii) of By-law No. 6593 shall not apply; and

- (b) notwithstanding section 10(3)(ii) of By-law No. 6593, no side yard shall be required along one side of each lot, except that a minimum side yard of 4 feet shall be required for that side of a lot flanking a street; and
- (c) notwithstanding section 10(4)(i) of By-law No. 6593, a lot or tract of land for a single family dwelling shall have a width of at least 30 feet and an area of at least 3,000 square feet.

2. As to the "E-2" District provisions applicable to Block 3,

- (a) the density of development shall not exceed 100 dwelling units.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

- (a) the "D" District provisions applicable to Block 2 and the special requirements referred to in clauses (a), (b) and (c) of paragraph 1 of section 2; and
- (b) the "E-2" District provisions applicable to Block 3 and the special requirement referred to in clause (a) of paragraph 2 of section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-649".

5. Sheets Nos. E-18B and E-18C of the District Maps are amended by marking the lands referred to in section 2 of this by-law, "S-649"

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

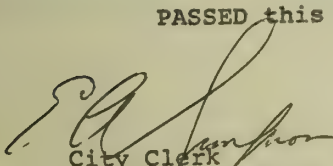
PASSED this

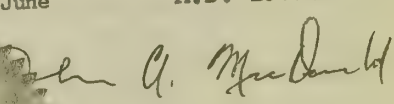
26th

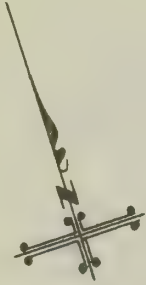
day of

June

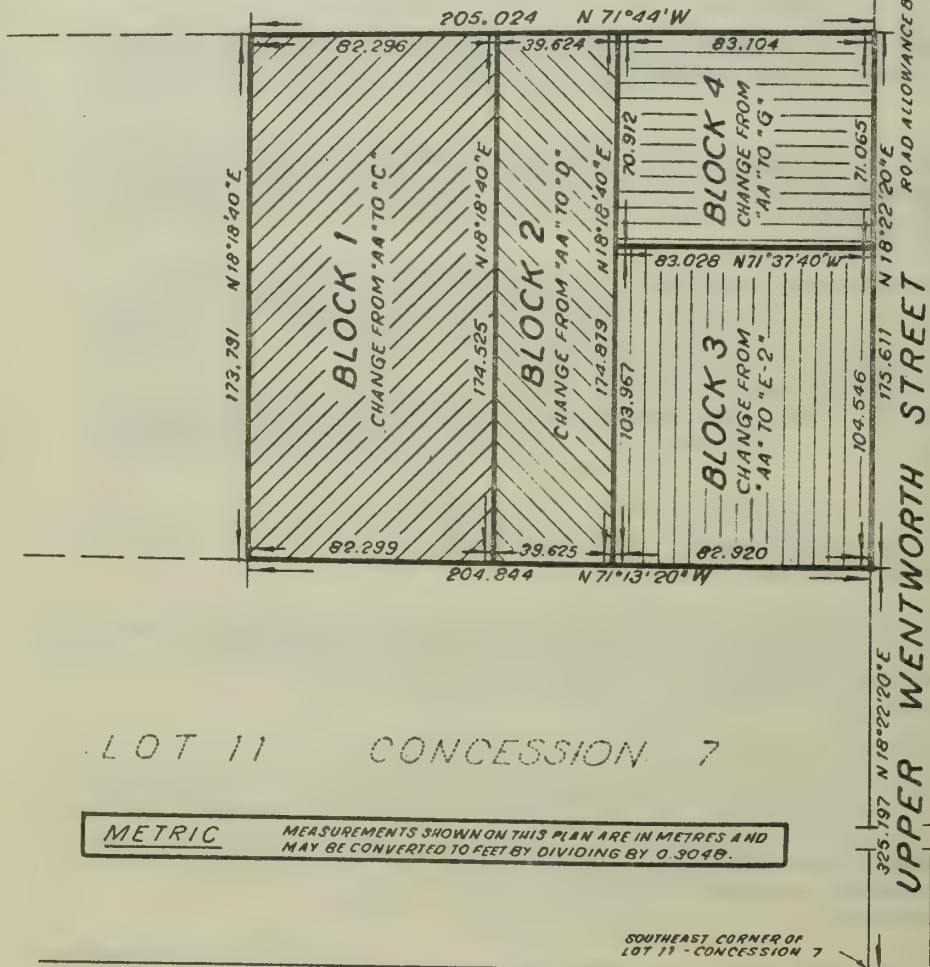
A.D. 1979.


City Clerk


Mayor



PLAN
SHOWING
PART OF LOT 11 - CONCESSION 7
FORMERLY IN THE TOWNSHIP OF BARTON
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
SCALE 1:2000 10 30 10 20 30 40 METRES
1979

**METRIC**

MEASUREMENTS SHOWN ON THIS PLAN ARE IN METRES AND
MAY BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

A.J. CLARKE & ASSOCIATES
ENGINEERS AND SURVEYORS
HAMILTON, ONTARIO

Bill No. 189

This is Schedule "A" to By-law No. 79-189 passed the 26th day of June, A.D. 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

Bill No. 190

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 190

To Amend:

Zoning By-law No. 6593

Respecting:

UNENCLOSED ONE-STOREY PORCHES

WHEREAS subclause (d) of clause (vi) of subsection 3 of section 18 of By-law No. 6593, passed on the 25th day of July, 1950, provides for requirements relating to unenclosed one-storey porches;

AND WHEREAS it is desirable to clarify the said requirements;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subclause (d) of clause (vi) of subsection 3 of section 18 of By-law No. 6593 is repealed and the following substituted therefor:

(d) A roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard or rear yard to a distance of not more than ten feet, and every such projecting porch shall be distant at least five feet from the front lot line, and the enclosure of such a porch to the following extent shall not be deemed enclosure for the purpose of this section:

(i) the porch may have a solid guard around the perimeter of the porch not more than 3 feet in height measured from the floor of the porch;

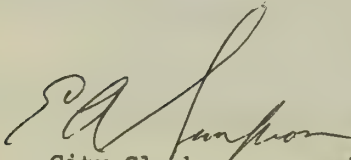
(ii) the roof may be supported on columns or piers having a maximum width of 16 inches;

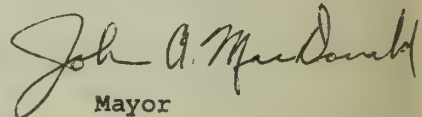
- (iii) the beam, lintel or crown of an arch shall be no more than 12 inches in depth;
- (iv) the minimum distance between piers or columns shall be 3 feet 6 inches and in the case of arches, the arches shall have a minimum clear width of 3 feet 6 inches.

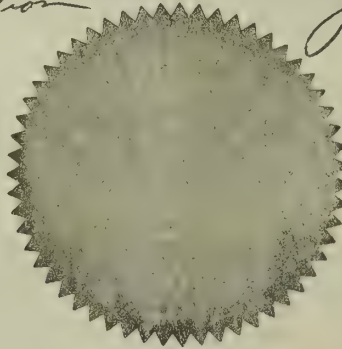
2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 26th day of June A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 191

To Authorize:

1. The construction of local improvements on Burton Street as described in Schedule "A";
2. The special assessment to pay a portion of the cost, upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the City Engineer.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 1 of the 12th Report of the Traffic and Engineering Committee on the 27th day of March, 1979;

AND WHEREAS the Council has procured to be made reports, estimates and statements for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 24th day of May, 1979, issue Order No. E 79356, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of certain works as local improvements on petition at an estimated cost of \$333,400.00, and
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$36,540.33 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$333,400.00.
2. The share or portion of the estimated cost of the works in the amount of \$36,540.33 to be borne by the lands abutting directly on the works and the estimated cost per foot to be rated shall be as set out in Schedule "A", provided that the actual rate per foot shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth -
 - (a) to the extent sufficient to provide an amount not exceeding \$36,540.33; and

- 2 -

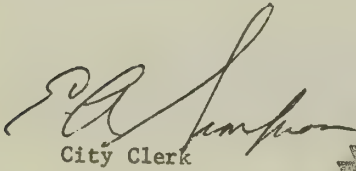
- (b) repayable over a term not exceeding fifteen years, chargeable to The Corporation of the City of Hamilton.

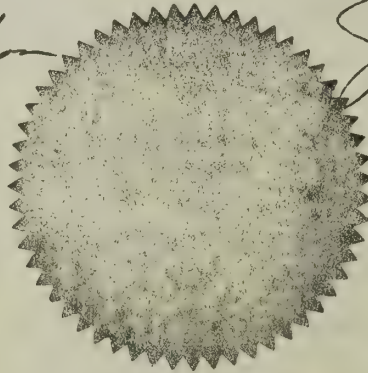
4. The City Engineer is hereby authorized to -

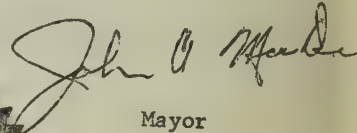
- (a) prepare all necessary plans, specifications and reports required for the construction of the works, and
- (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this 26th day of June A.D. 1979.


City Clerk




Mayor

SCHEDULE "A"

The Construction of FINISHED ROADWAY on:

1. BURTON STREET from Victoria Avenue to Wentworth Street	\$321,000.00	\$32,675.00
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CONCRETE CURBS on:

2. BURTON STREET (north side) from Emerald Street to approximately 320 feet easterly	4,000.00	1,200.00
3. BURTON STREET (north side) from approximately 260 feet west of Cheever to Wentworth Street	8,400.00	2,665.33

at the costs and charges not exceeding those set out below:

City's share	\$296,859.67
Owners' share	<u>36,540.33</u>
Total Estimated Cost	<u><u>\$333,400.00</u></u>

Per foot frontage:	Item 1	-	\$10.00
	Items 2 and 3	-	\$ 4.00

Fifteen annual instalments

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 192

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act on Limeridge Road and other streets;
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the City Engineer.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 6 of the 2nd Report of the Traffic and Engineering Committee on the 30th day of January, 1979;

AND WHEREAS it is expedient to proceed without petition to undertake as local improvements the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed have not, within one month after first publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has procured to be made reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 23rd day of May, 1979, issue Order No. E 79422, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of certain works as local improvements on the initiative plan at an estimated cost of \$893,000.00, and
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$111,632.35 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$893,000.00.
2. The share or portion of the estimated cost of the works in the amount of \$111,632.35 to be borne by the lands abutting directly on the works and the estimated cost per foot to be rated shall be as set out in Schedule "A", provided that the actual rate per foot shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.

- 2 -

3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth -

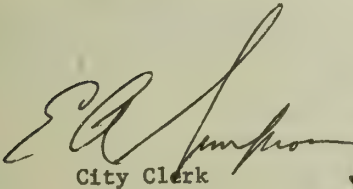
- (a) to the extent sufficient to provide an amount not exceeding \$111,632.35; and
- (b) repayable over a term not exceeding fifteen years, chargeable to The Corporation of the City of Hamilton.

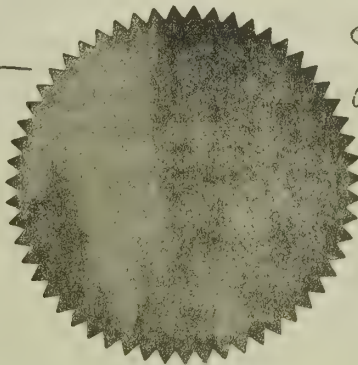
4. The City Engineer is hereby authorized to -

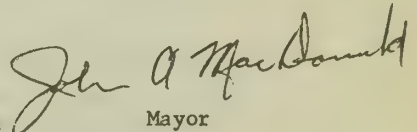
- (a) prepare all necessary plans, specifications and reports required for the construction of the works, and
- (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this 26th day of June A.D. 1979


City Clerk




Mayor

SCHEDULE "A"

The Construction of:

FINISHED ROADWAYS on:

1. WILLIAM STREET from Birge Street to Barton Street	\$118,000.00	\$16,229.17
2. BRISTOL STREET from Sanford Avenue to Minto Avenue	57,000.00	4,824.17
3. LIMERIDGE ROAD from Lennox Street to Mountain Brow Boulevard	577,000.00	65,130.00

CONCRETE CURB on:

4. LIMERIDGE ROAD (north side) from Castle Street to Mountain Brow Boulevard	32,500.00	8,650.68
5. LIMERIDGE ROAD (south side) from C.N.R. to approximately 500 feet easterly	14,000.00	1,903.33

INDEPENDENT WALK and CURB on:

6. LIMERIDGE ROAD (south side) from Mountain Brow Boulevard to approximately 340 feet westerly	23,000.00	3,006.00
7. LIMERIDGE ROAD (south side) from Upper Kenilworth Avenue to C.N.R.	50,000.00	8,325.00
8. LIMERIDGE ROAD (south side) from Lennox Street to approximately 445 feet easterly	21,500.00	3,564.00

at the costs and charges not exceeding those set out below:

City's share	\$781,367.65
Owners' share	<u>111,632.35</u>
TOTAL ESTIMATED COST	<u><u>\$893,000.00</u></u>

Estimated per foot frontage:	Items 1-3	\$10.00
	Items 4 & 5	\$ 4.00
	Items 6-8	\$ 9.00

Fifteen annual instalments

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 193

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED IN THE AREA NORTH OF RYMAL ROAD EAST
AND EAST OF UPPER GAGE AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49D of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "RT-20" (Townhouse-Maisonette) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 1; and
- (b) by changing from "RT-20" (Townhouse - Maisonette) district and "G" (Neighbourhood Shopping Centre, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Blocks 3 and 4,

the extent and boundaries of each of which Blocks 1, 3 and 4 and of Block 2 are shown on a plan hereto annexed as schedule "A".

2. The "D" District provisions applicable to the lands referred to in section 1 are amended to the extent only of the following variances as special requirements:

- 1. As to the "D" District provisions applicable to Blocks 1 and 2,
 - (a) Section 10(1)(iii) of By-law No. 6593 shall not apply;
 - (b) Notwithstanding section 10(3)(ii) of By-law No. 6593, no side yard shall be required along one side of each lot, except that a 4-foot wide side yard shall be required for that side of a lot flanking a street;

(c) Notwithstanding section 10(4)(i) of By-law No. 6593, a lot for a single family dwelling shall have within the district, a width of at least 30 feet and an area of at least 3,000 square feet;

2. As to the "D" District provisions applicable to Blocks 3 and 4,

(a) Section 10(1)(iii) of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

(a) the "D" District provisions applicable to Blocks 1 and 2, subject to the special requirements referred to in paragraph 1 of section 2; and

(b) the "D" District provisions applicable to Blocks 3 and 4, subject to the special requirement referred to in paragraph 2 of section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-625".

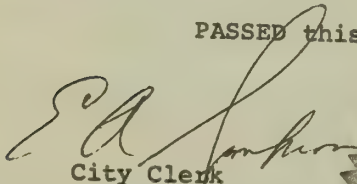
5. Sheet No. E-49D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-625".

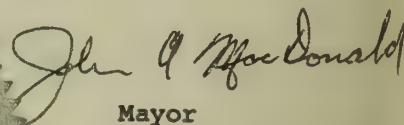
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

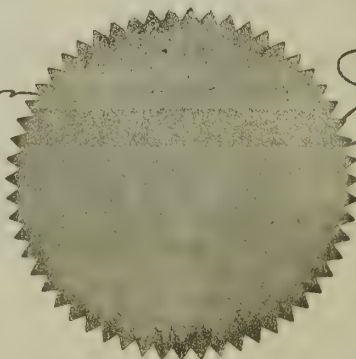
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 26th day of June

A.D. 1979.


City Clerk


Mayor



METRIC

MEASUREMENTS SHOWN ON THIS PLAN
ARE IN METRES AND MAY BE CONVERTED
TO FEET BY DIVIDING BY 0.3048

SCHEDULE "A" TO BY-LAW No 79 - 193

PLAN

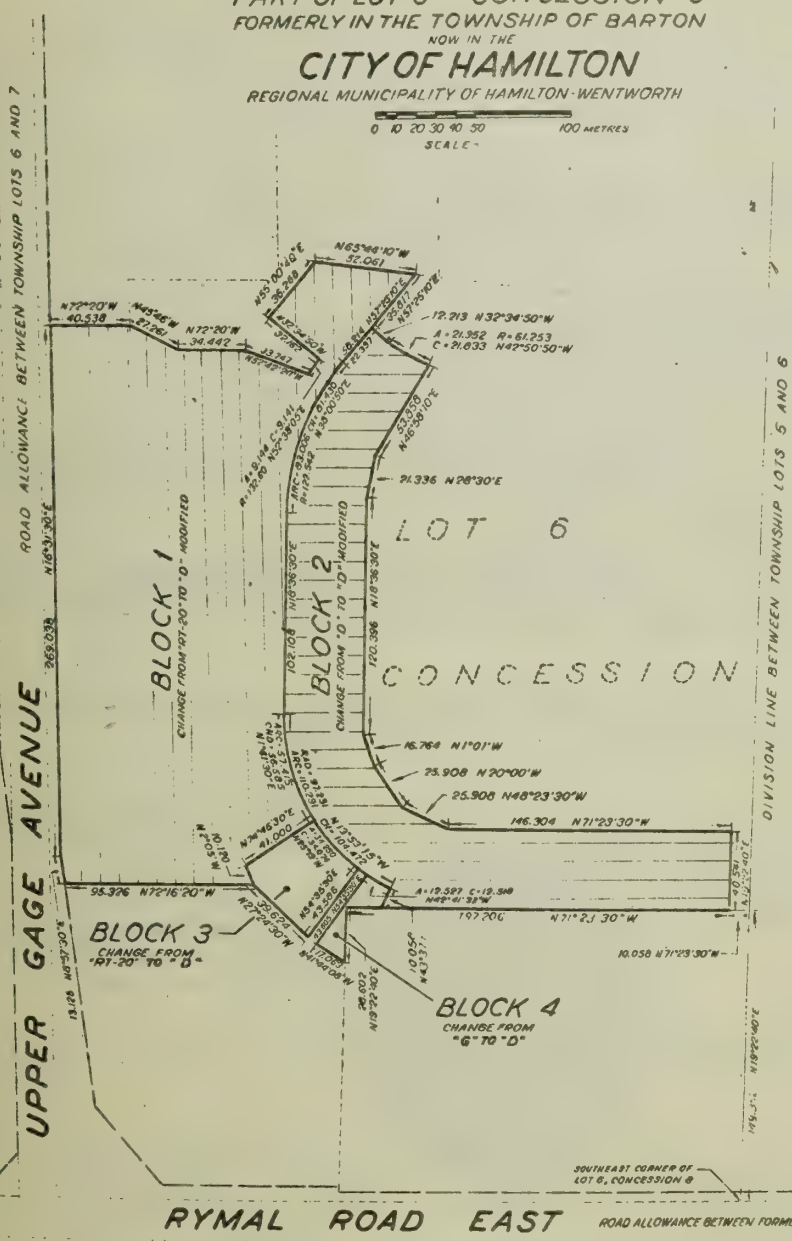
SHOWING

PART OF LOT 6 - CONCESSION 8
FORMERLY IN THE TOWNSHIP OF BARTON
NOW IN THE

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

0 10 20 30 40 50 100 METRES
SCALE



A.J. CLARKE & ASSOCIATES LTD.
ENGINEERS AND SURVEYORS
HAMILTON ONTARIO

Bill No. 193

This is Schedule "A" to By-law No. 79-193 passed the 26th day of June, A.D. 1979

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 194

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 916 and 922 UPPER PARADISE ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37C of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district to "L-c" (Planned Development - Commercial) district, the land,

the extent and boundaries of which are shown on a plan here-to annexed as schedule "A".

2. The "L-c" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variance as a special requirement:

1. The alteration, extension or enlargement of any dwelling erected as at the day of the passing of this by-law and the erection of accessory buildings, shall be permitted in accordance with section 9 of By-law No. 6593.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

- (a) the "L-c" District provisions,

subject to the special requirement referred to in section 2.

06/26/79

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-643".

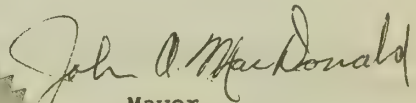
5. Sheet No. W-37C of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-643".

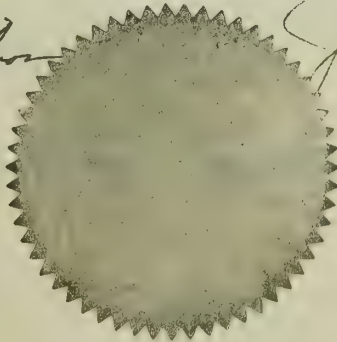
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

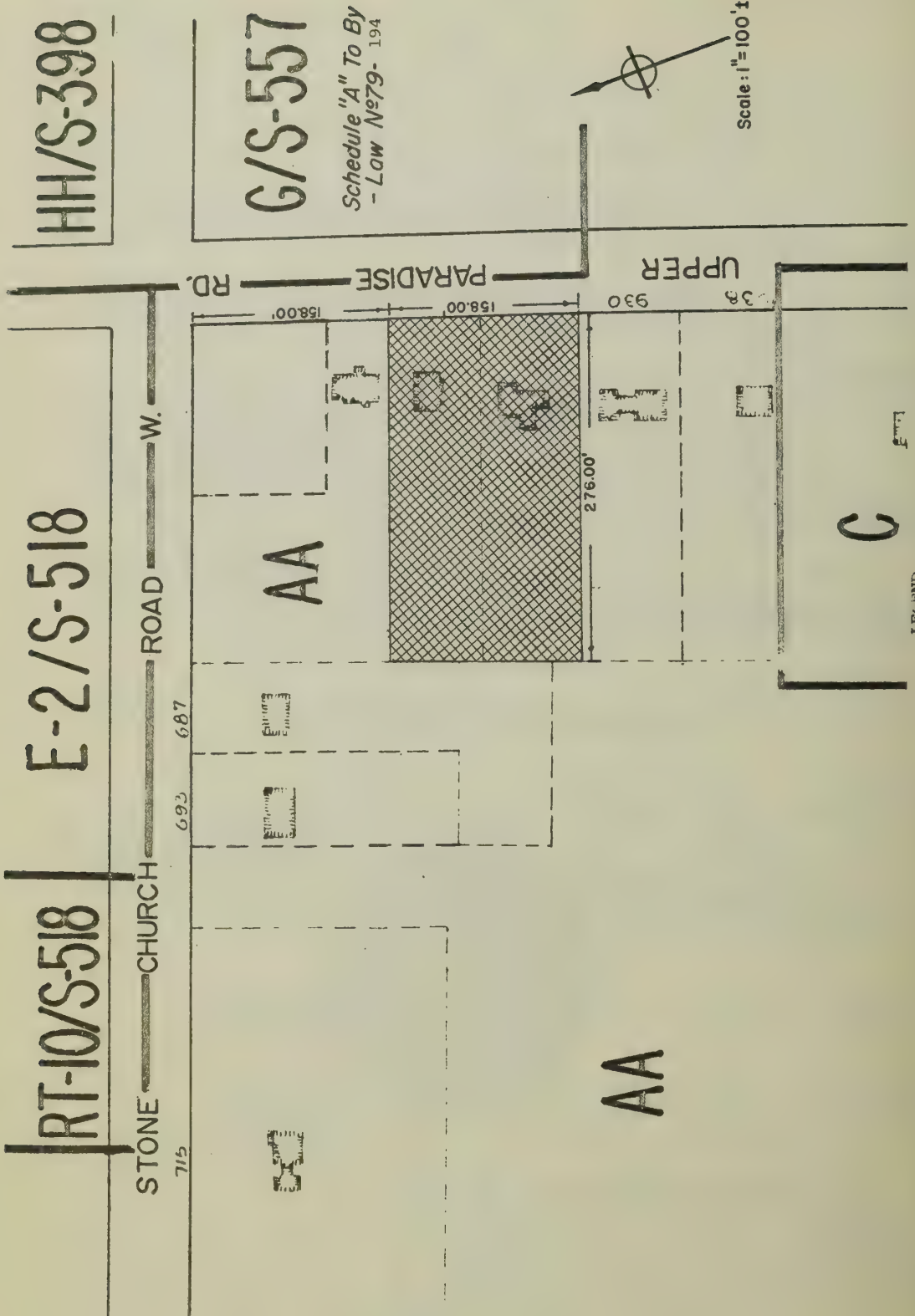
PASSED this 26th day of June A.D. 1979.


City Clerk


Mayor



(1979) 16 R.P.D.C. 1(c), April 24
City Initiative 79-M



Lands on Part of Sheet No. W-37C of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District to "L-C" (Planned Development - Commercial) District.

Bill No. 194

This is Schedule "A" to By-law No. 79-194 passed the 26th day of June, A.D. 1979

PA Simpson
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. MacDonald
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 195

To Repeal:

Zoning By-law No. 75-149

Respecting:

LAND LOCATED ON THE SOUTH SIDE OF MOHAWK ROAD EAST,
IN THE AREA WEST OF UPPER KENILWORTH AVENUE

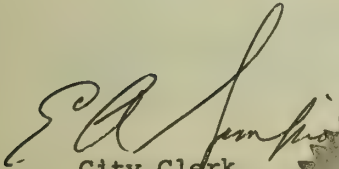
WHEREAS By-law No. 75-149, passed on the 27th day of May, 1975, rezoned the land shown on schedule "A" thereto from "C" (Urban Protected Residential, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district;

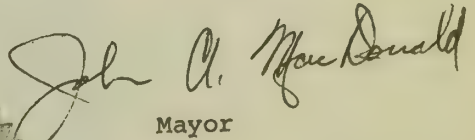
AND WHEREAS Item 10 of the 21st Report of the Planning and Development Committee, adopted by City Council on the 26th day of June, 1979, directed that By-law No. 75-149 be repealed.

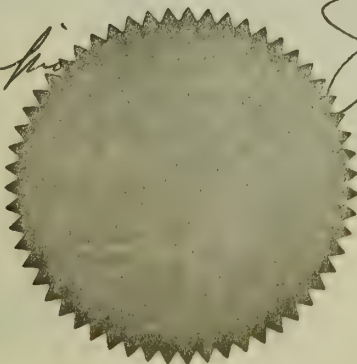
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 75-149 is repealed.

PASSED this 26th day of June A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 196

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 834 and 842 STONE CHURCH ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38C of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "RT-20" (Townhouse-Maisonette) district to "D" (Urban . Protected Residential - One and Two Family Dwellings, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "D" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variances as special requirements:

- 1. Section 10(1)(iii) of By-law No. 6593 shall not apply.
- 2. Notwithstanding section 10(3)(ii) of By-law No. 6593, no side yard shall be required along one side of each lot except that a 4-foot wide side yard shall be required for that side of a lot flanking a street.

3. Notwithstanding section 10(4)(i) of By-law No. 6593, a lot for a single family dwelling shall have a width of at least 30 feet and an area of at least 3,000 square feet.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-650".

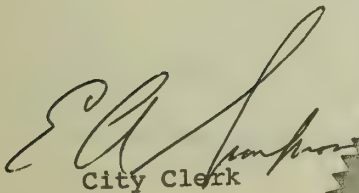
5. Sheet No. E-38C of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-650".

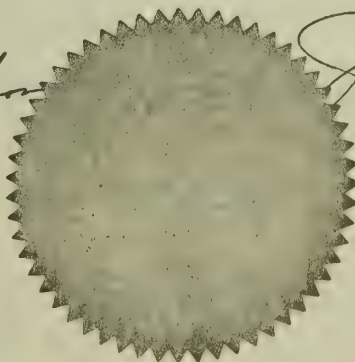
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

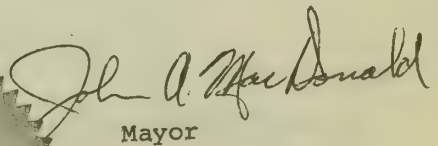
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 26th day of June

A.D. 1979.


City Clerk




Mayor

(1979) 20 R.P.D.C. 1, May 29
Robert Shelley, Owner
Z.A. 79-20

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 197

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 884 CONCESSION STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variances as special requirements:

1. Notwithstanding section 10(1) of By-law No. 6593, a doctor's office shall be a permitted use within the existing dwelling.
2. There shall be provided and maintained on the land,
 - (a) one parking space for every 200 square feet of floor area within the doctor's office; and
 - (b) one parking space for the residential use within the existing dwelling.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

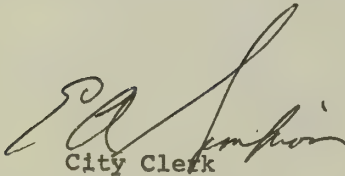
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-653".

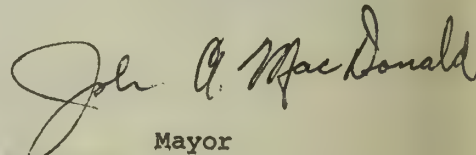
4. Sheet No. E-35 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-653".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 26th day of June A.D. 1979.

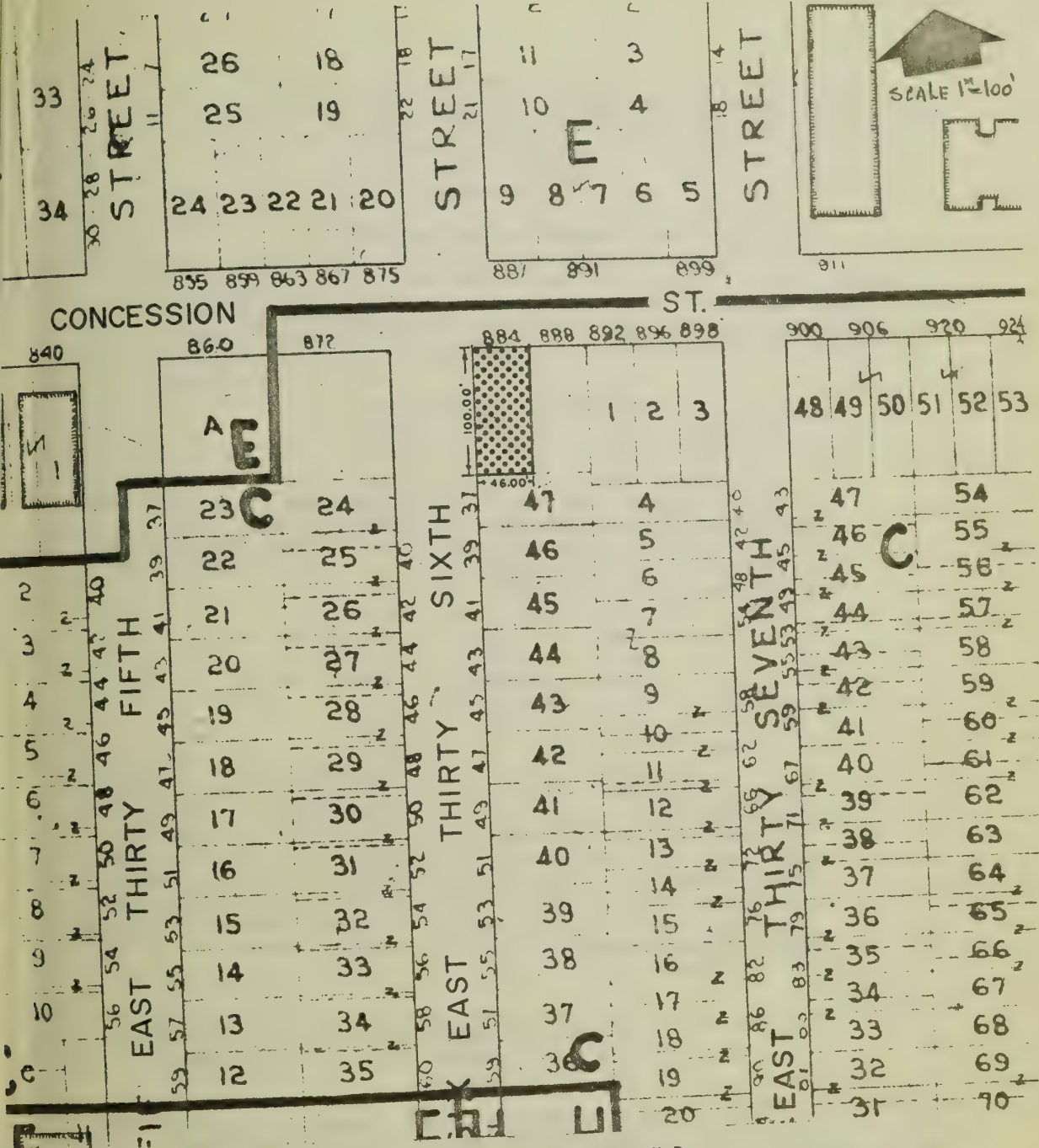

City Clerk


Mayor



(1979) 21 R.P.D.C. 1, June 26
Dr. Sam Macaluso, Prospective Owner
Z.A. 79-16

06/26/79



Bill No. 197

This is Schedule "A" to By-law No. 79-197 passed the 26th day of June, A.D. 1979

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 198

To Amend:

Zoning By-law No. 6593

As Amended By:

Zoning By-law No. 76-205

Respecting:

THE STIPELEY NEIGHBOURHOOD

WHEREAS By-law No. 76-205, passed on the 29th day of June, 1976, rezoned from "K" (Heavy Industry, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district the lands located at the following municipal addresses:

1. No. 176 Sherman Avenue North;
2. No. 133 Barnesdale Avenue North;
3. No. 34 Clinton Street;

AND WHEREAS the Ontario Municipal Board by Order (File No. R 77440), dated the 1st day of September, 1978, as amended by Order dated the 19th day of October, 1978 in approving By-law No. 76-205 as amended, provided that the lands mentioned in the next preceding paragraphs 1, 2 and 3, shall be rezoned to "D" until September 1, 1979 so that in accordance with the Decision of the Ontario Municipal Board dated the 1st day of September, 1978 consideration might be given by City Council to an amendment to By-law No. 76-205 as regards,

4. No. 176 Sherman Avenue North, "to permit as a use additional to the permitted 'D' uses, the continuation of the existing travel agency business";
5. No. 133 Barnesdale Avenue North, "to recognize his existing use" by providing an exemption from the "D" zone;
6. No. 34 Clinton Street, "to legalize Mr. Edmonds' present use of lands";

AND WHEREAS the said By-law as amended also rezoned the lands at the following municipal addresses:

7. Nos. 970, 972, 974, 978, 980 and 982 King Street East from "H" (Community Shopping and Commercial, etc.) district to "DE-2" (Multiple Dwellings) district;

8. Nos. 871 and 875 Main Street East from "H" (Community Shopping and Commercial, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district;

AND WHEREAS the said Order and Decision of the Ontario Municipal Board in approving By-law No. 76-205, as amended, provided that the lands mentioned in the next preceding paragraphs 7 and 8 shall be rezoned to "DE-2" and "D", respectively, until September 1, 1980, so that consideration might be given by City Council to an amendment to By-law No. 76-205 as regards,

9. No. 970 King Street East, to permit, additional to the "DE-2" uses, the existing commercial use which is a wearing apparel workshop, (otherwise described as a "stocking factory" in the said decision), under section 11A(1)(iii) of Zoning By-law No. 6593 and "certain professional offices, some business offices and possibly some commercial operations"; and
10. Nos. 972, 974, 978, 980 and 982 King Street East, to permit additional to the "DE-2" uses, "certain professional offices, some business offices and possibly some commercial operations"; and
11. Nos. 871 and 875 Main Street East to permit, additional to the "D" uses, "certain professional offices, some business offices and possibly some commercial operations";

AND WHEREAS it is intended to give effect to the Ontario Municipal Board Order and Decision.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the lands, the extent and boundaries of which are shown on plans hereto annexed as schedules "A" and "A1", are amended only to the extent of the following variances as special requirements:

1. As to the land at No. 176 Sherman Avenue North, in addition to the uses under section 10(1) of By-law No. 6593, a travel agency shall be permitted.
2. As to the land at No. 133 Barnesdale Avenue North, in addition to the uses under section 10(1) of By-law No. 6593 and notwithstanding section 4(3)(a) of By-law No. 6593, a saw sharpening business shall be permitted.

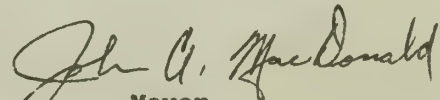
3. As to the land at No. 34 Clinton Street, in addition to the uses under section 10(1) of By-law No. 6593, a public garage shall be permitted.
 4. As to the lands at Nos. 871 and 875 Main Street East,
 - (a) in addition to the uses under section 10(1) of By-law No. 6593, any commercial use in clauses (ii), (iii) and (iv) of subsection 1 of section 11A of the said By-law shall be permitted; and
 - (b) subsections 2, 3, 4, 5 and 6 of the said section 11A shall apply to the commercial uses under clause (a).
2. The "DE-2" (Multiple Dwellings) district provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A2", are amended only to the extent of the following variance as a special requirement:
1. As to the lands at Nos. 970, 972, 974, 978, 980 and 982 King Street East,
 - (a) in addition to the uses under section 10B(1) of By-law No. 6593, any commercial use in clauses (ii), (iii) and (iv) of subsection 1 of section 11A of the said By-law shall be permitted; and
 - (b) subsections 2, 3, 4, 5 and 6 of the said section 11A shall apply to the uses permitted under clause (a)..
 3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall the following lands be used, except in accordance with,
 - (a) the "D" District provisions applicable to the land shown on schedules "A" and "A1", subject to the special requirements respectively referred to in section 1; and
 - (b) the "DE-2" District provisions applicable to the land shown on schedule "A2", subject to the special requirement respectively referred to in section 2.
 4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-639".
 5. Sheets Nos. E-32 and E-33 of the District Maps are amended by marking the lands referred to in sections 1 and 2 of this by-law, "S-639".

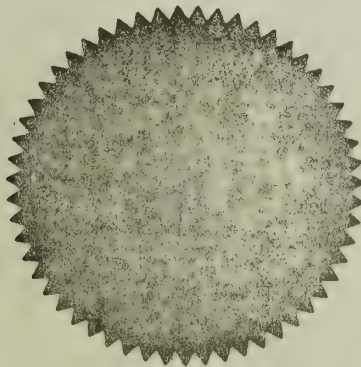
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 26th day of June A.D. 1979.


City Clerk

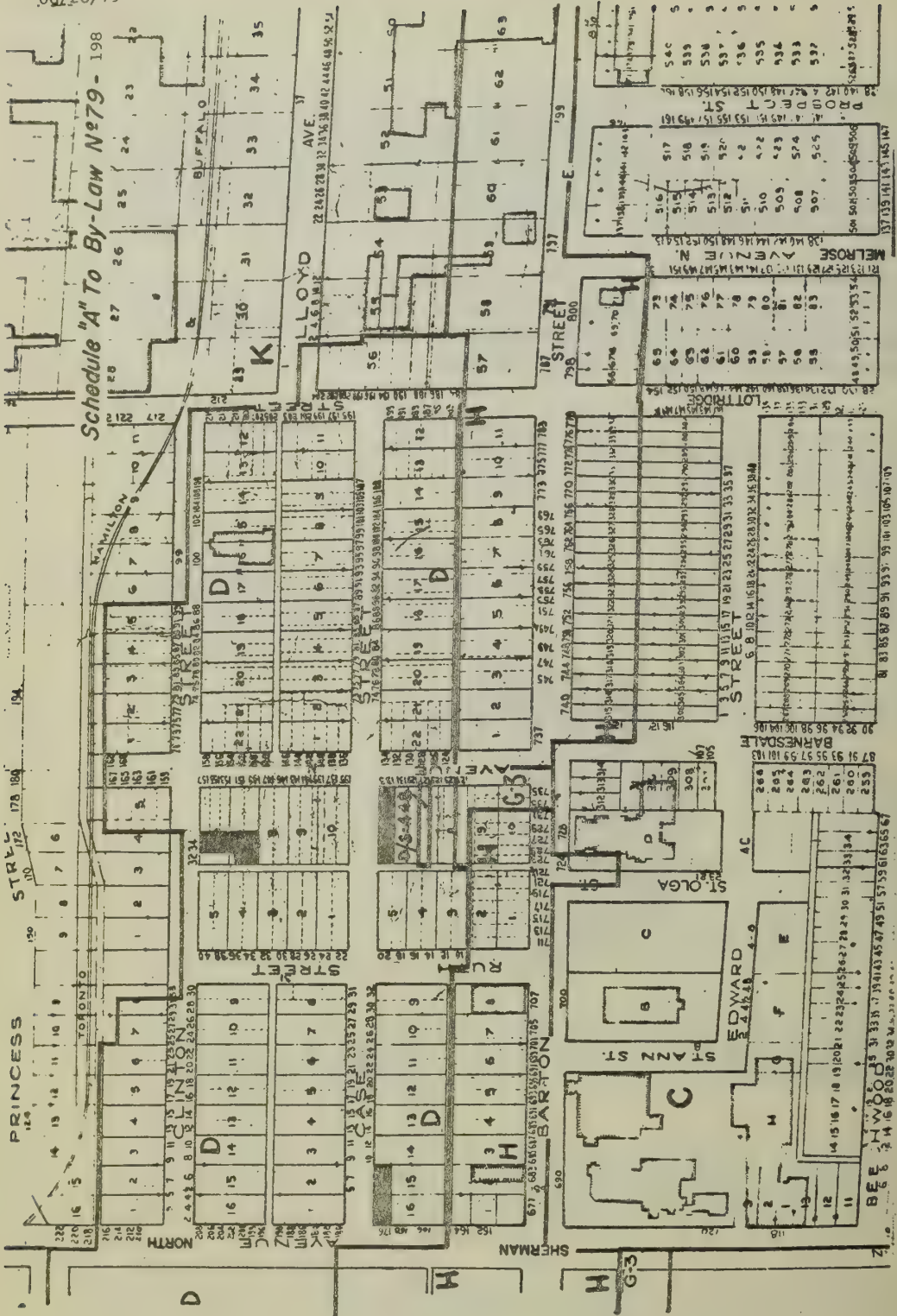

Mayor



(1979) 12 R.P.D.C. 7, March 27
City Initiative 75-X

06/26/79

-552-



LEGEND

Lands on Part of Sheet No. E-32 of The Zoning District Maps to be regulated by By-law No. 79-198

Bill No. 198

This is Schedule "A" to By-law No. 79-198 passed the 26th day of June, A.D. 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON
[Signature]
Mayor

Scale: 1" = 200'

Schedule "A" To By-Law No. 79-198

AVENUE

VINELAND

ROAD

LEGEND

Scale: 1"=200'

Bill No. 198

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

John G. MacDonald

Mayor

This is Schedule "A" to By-law No. 79-198 passed the 26th day of June, A.D. 1979

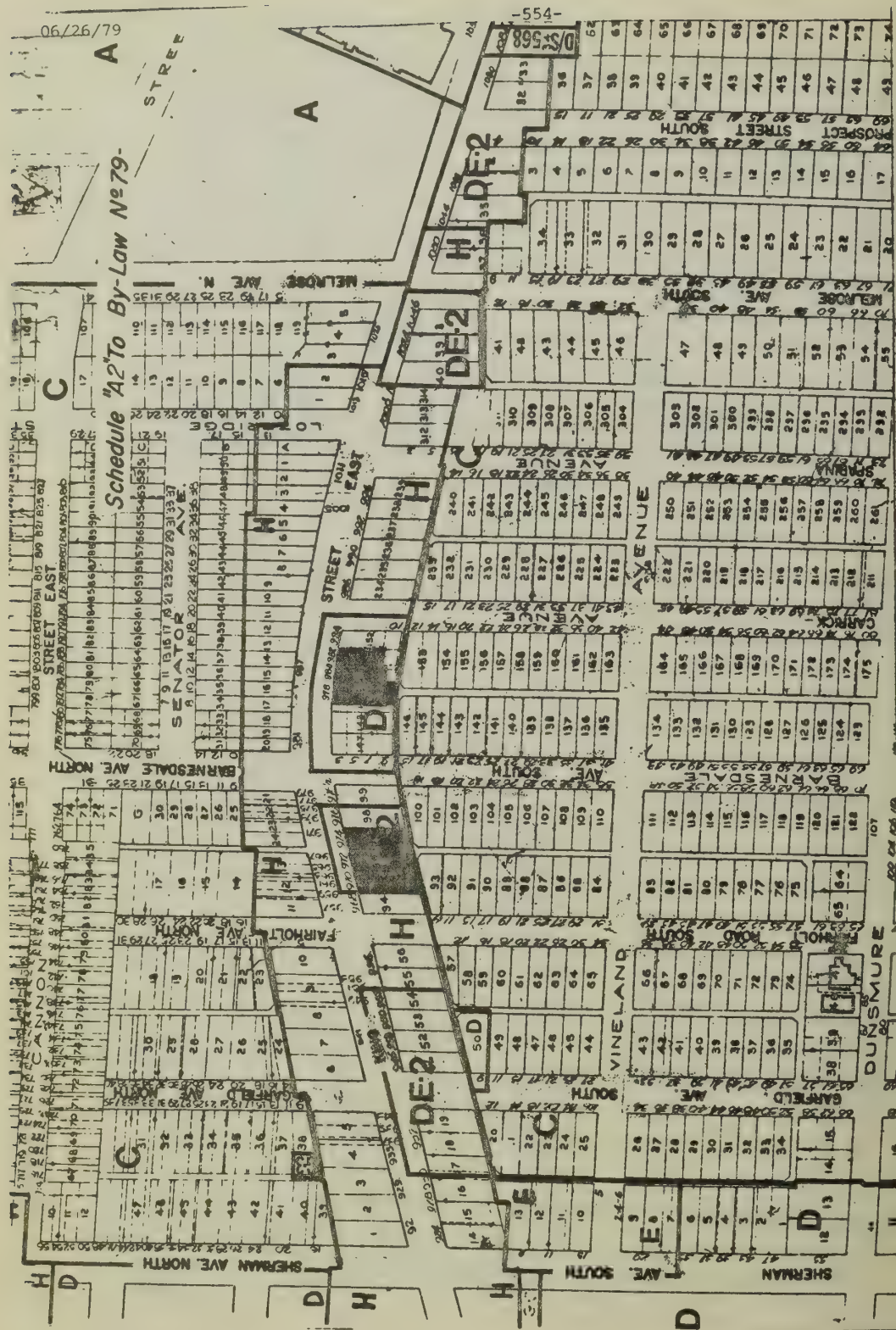
Lands on Part of Sheet No. E-33 of The Zoning District Maps to be regulated by By-law No. 79-198

Bill No. 198

06/26/79

-553-

Schedule "A2" To By-Law No 79-



LEGEND

lands on part of Sheet No. E-33 of The Zoning District Maps to be regulated by By-law No. 79-198

Bill No. 198

This is Schedule "A2" to By-law No. 79-198 passed the 26th day of June, A.D. 1979

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79- 199

To Adopt:

Official Plan Amendment No. 345

Respecting:

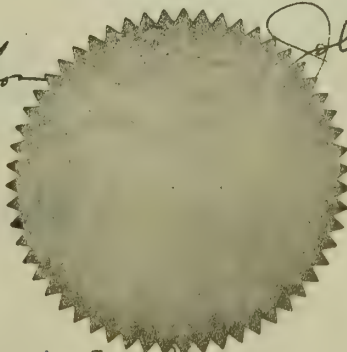
LAND LOCATED IN THE AREA WEST OF SANFORD AVENUE,
BETWEEN BARTON STREET AND BRISTOL STREET

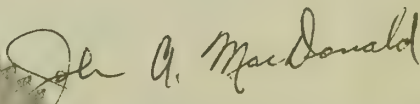
The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 345 to the Official Plan of the
Hamilton Planning Area consisting of Schedule 1, hereto
annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such
approval of the Official Plan Amendment referred to in
section 1 above, as may be requisite, be obtained and for
the doing of all things for the purpose thereof.

PASSED this 26th day of June A.D. 1979.


City Clerk




Mayor

AMENDMENT NO. 345 to the Official Plan for the Hamilton Planning Area.

The following text, together with the map attached as Schedule "A" hereto, constitute Amendment No. 345.

PURPOSE:

To change the land use designation established in a prescribed area.

LOCATION:

Lands on the west side of Sanford Avenue North between Barton and Bristol Streets.

BASIS:

Lands on the west side of Sanford Avenue north between Barton and Bristol Streets is used for Residential purposes and it is proposed that the Commercial designation be changed accordingly.

ACTUAL CHANGE:

That the designation of the lands outlined in red on Schedule "A" be changed from "Commercial" to "Residential".

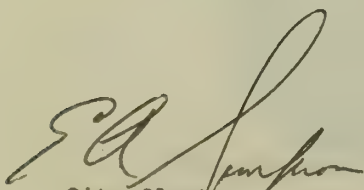
IMPLEMENTATION:

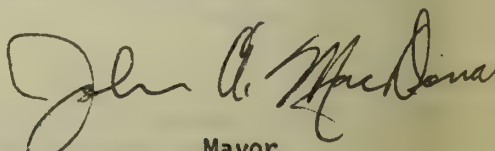
A Restricted Area By-law will give effect to the intended Residential use of the subject lands.

Bill No. 199

This is Schedule 1 to By-law No. 79-199 passed the 26th day of June, A.D. 1979

THE CORPORATION OF THE CITY OF HAMILTON

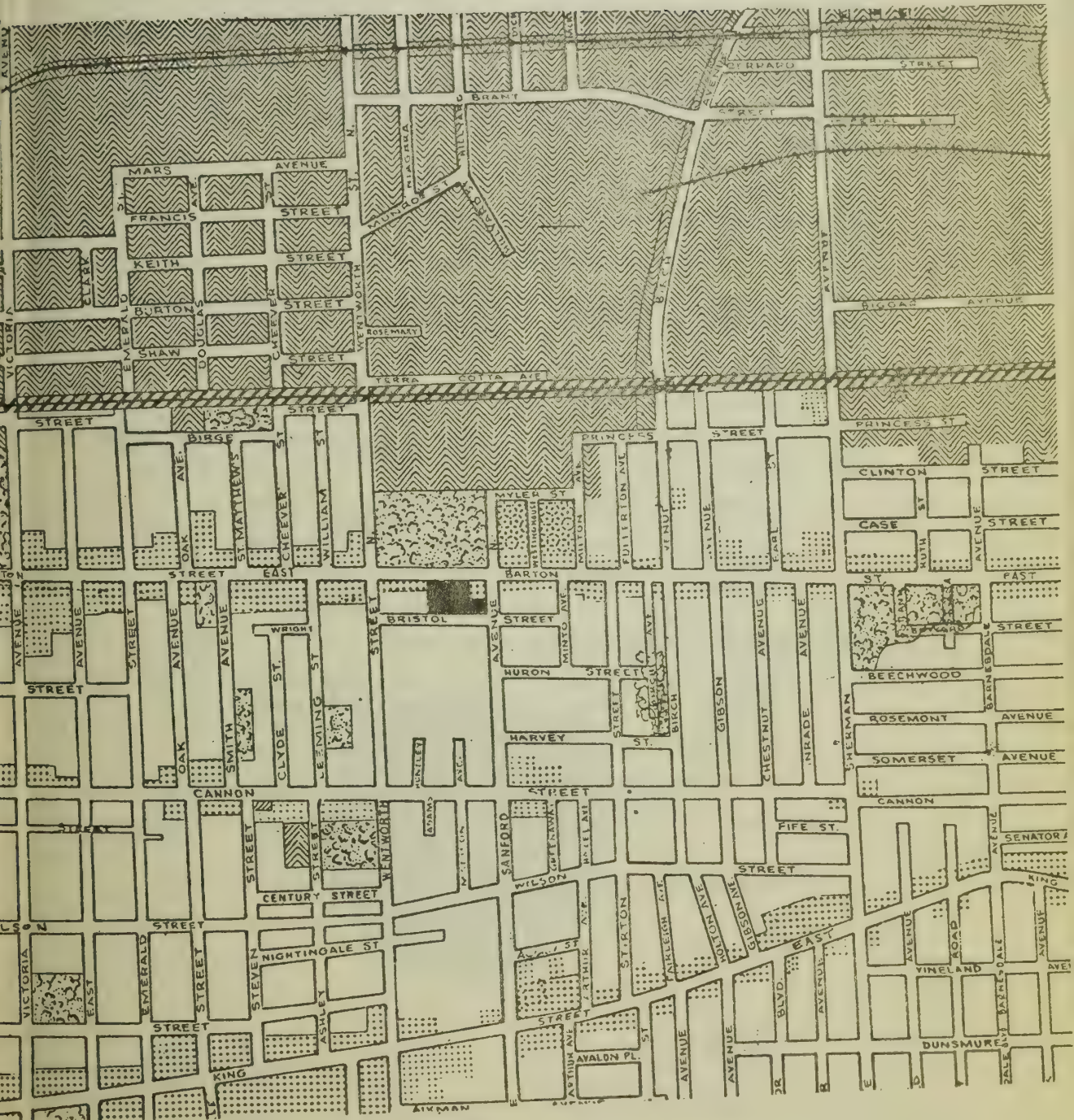

City Clerk


Mayor

CHANGE

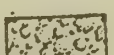
From Commercial to Residential

Schedule "A" to Amendment No. 345...
to the Official Plan
of the Hamilton Planning Area,



LEGEND

-  Residential
-  Commercial
-  Industrial

-  Recreation, Civic & Cultural
-  Restricted Industrial


Scale: 1"=80'

BY-LAW NO. 79 - 200

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 23 (Hamilton Street Railway Bus Stops) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended by deleting from the Outbound Column of the Upper James Table the following item, namely:-

"Inverness at Upper James",

and by substituting therefor the following item, namely:-

"Inverness, 100 ft. east of Upper James".

2. Schedule 24 (Parking Meters) is hereby amended by deleting from Section 3(c) (One Hour Limit) the following item, namely:-

"Emerald West Barton to 70 ft. south".

3. Schedule 26 (No Parking Areas) is hereby amended;

(a) by deleting from Section A (No Parking Anytime) the following items, namely:-

"Robinson	North	From 211 ft. west of Bay to 36 ft. westerly.
Balmoral	West	Dunsmure to 60 ft. north
Emerald	East	Barton to 170 ft. south
Emerald	West	From 70 ft. south of Barton to 100 ft. southerly",

and by adding thereto the following items, namely:-

"Emerald	East	Barton to 111 ft. south
Emerald	West	Barton to 113 ft. south
Balmoral	West	Dunsmure to 77 ft. north
Vansitmart	South	Parkdale to 315 ft. east".

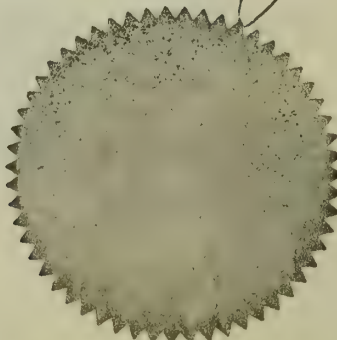
(b) by adding to Section B (Loading Zones) the following item, namely:-

"Hunter	North	39 ft.	73 ft. west of Caroline	Anytime".
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PASSED this 26th day of June , A.D. 1979.

E.A. Simpson
City Clerk

John A. MacDonald
Mayor



BY-LAW NO. 79 - 201

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 29 (No Stopping Areas) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended by deleting from Section A (No Stopping Anytime) the following item, namely:-

"Peter	South	From 142 ft. east of Queen to 52 ft. easterly",
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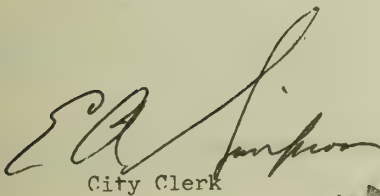
and by adding thereto the following item, namely:-

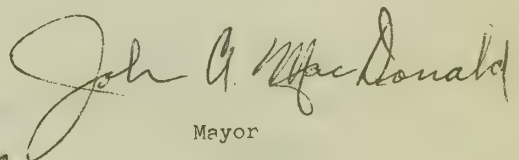
"Hunter	South	Walnut to 190 ft. east".
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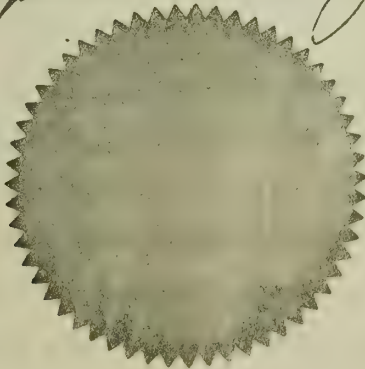
2. Schedule 30 (Commercial Loading Zones) is hereby amended by deleting therefrom the following item, namely:-

"Hunter	North	39 ft.	75 ft. west of Caroline	Anytime".
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PASSED this 26th day of June , A.D. 1979.


City Clerk


Mayor



BY-LAW NO. 79 - 202

TO CLOSE AND SELL A PORTION OF THE ALLEY
RUNNING SOUTHERLY FROM NIGHTINGALE STREET,
EAST OF WENTWORTH STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 to stop-up and sell any highway or part of a highway.

AND WHEREAS it is deemed expedient to stop-up and sell portions of the highway described herein.

AND WHEREAS Notice of this By-law has been published as required by Section 446 of the said The Municipal Act.

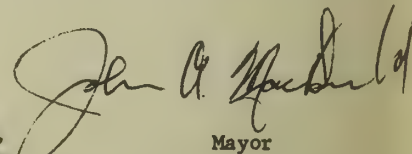
AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Traffic & Engineering Committee, has heard all persons who applied to be heard, no matter whether in objection to, or in support of this by-law.

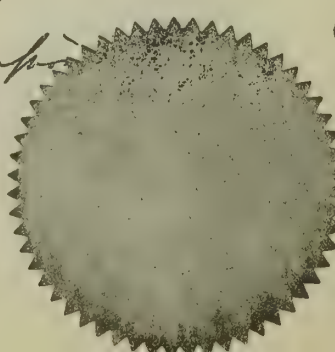
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portions of the highway described in Schedule "A" are hereby stopped-up.
2. Within six months after the enactment of this By-law;
 - (1) Hamilton Street Railway may purchase the said portion designated Part 2 on Reference Plan 62R-4231 for \$8,842.00.
3. If Hamilton Street Railway does not purchase the said portion of highway within the said period of six months, or such period as may be fixed by a subsequent by-law, the sale of Part 2 may be authorized to any other person at the same or a greater price.

PASSED this 26th day of June A.D. 1979.


City Clerk


Mayor



SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 27 according to Thomas Stinson Survey registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 43 and which said parcel may be more particularly described as all of Part 2 according to a Reference Plan received and deposited in the said Land Registry Office on June 15, 1978 as Plan 62R-4231.

BY-LAW NO. 79 - 203

TO CLOSE, STOP-UP AND RETAIN PARTS OF:

- (a) Van Wagner's Beach Road at Centennial Parkway (Part 8 on Plan No. 2175)
- (b) Highway adjacent to North Service Road at former Lake Avenue (Part 1 on Plan No. 2175)
- (c) Highway adjacent to Q.E.W. at Nash Road (Parts 11, 12 and 13 on Plan No. 2175)

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 to stop-up and sell any highway or part of a highway.

AND WHEREAS it is deemed expedient to stop-up and sell portions of the highways described herein.

AND WHEREAS Notice of this By-law has been published as required by Section 446 of the said The Municipal Act.

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Traffic & Engineering Committee, has heard all persons who applied to be heard, no matter whether in objection to, or in support of this by-law.

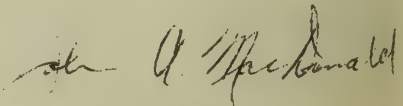
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

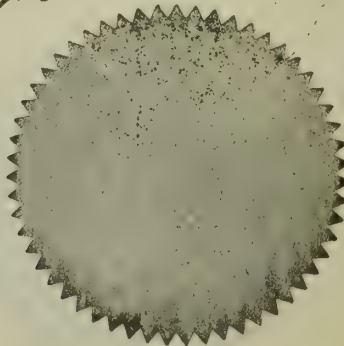
- 1 The portions of the highways described in Schedule "A" are hereby stopped-up.

PASSED this 26th day of June

A.D. 1979.


City Clerk


Mayor



SCHEDULE "A"

DESCRIPTION FOR BY LAW TO CLOSE

- A) PART OF VAN WAGNER'S BEACH ROAD AT CENTENNIAL PARKWAY
 - B) PART OF HIGHWAY ADJACENT TO NORTH SERVICE ROAD AT FORMER LAKE AVENUE
 - C) PARTS OF HIGHWAY ADJACENT TO Q.E.W. AT NASH ROAD
-

First:

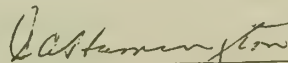
All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Van Wagner's Beach Road (formerly part of Lot 27 Broken Front Concession, Township of Saltfleet) and which said parcel may be more particularly described as all of Part 8 according to a plan prepared by the Ministry of Transportation and Communications and deposited in the Land Registry Office for the Registry Division of Wentworth as Plan 2175 Miscellaneous.

Secondly:

All and singular that certain parcel or tract of land and premises, situate, lying and being in The City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of a highway (formerly part of Lot 24 Broken Front Concession, Township of Saltfleet) and which said parcel may be more particularly described as all of Part 1 according to a plan prepared by the Ministry of Transportation and Communications and deposited in the said Land Registry Office as Plan 2175 Miscellaneous.

Thirdly:

All and singular those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of parts of highway (formerly part of Lot 28 Broken Front Concession, Township of Saltfleet) and which said parcels may be more particularly described as all of Parts 11, 12 and 13 according to a plan prepared by the Ministry of Transportation and Communications and deposited in the said Land Registry Office as Plan 2175 Miscellaneous.



D.A. HARRINGTON
ONTARIO LAND SURVEYOR

Department of Engineering
19 March, 1979
DAH:sr

BY-LAW NO. 79 - 204

TO CLOSE AND SELL THE ALLEY RUNNING WESTERLY
FROM TISDALE STREET, SOUTH OF 14 TISDALE STREET SOUTH

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 to stop-up and sell any highway or part of a highway.

AND WHEREAS it is deemed expedient to stop-up and sell portions of the highway described herein.

AND WHEREAS Notice of this By-law has been published as required by Section 446 of the said The Municipal Act.

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Traffic & Engineering Committee, has heard all persons who applied to be heard, no matter whether in objection to, or in support of this by-law.

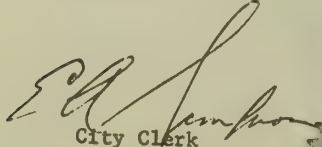
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

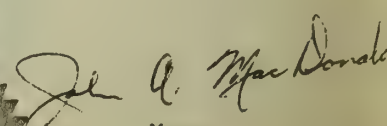
1. The portions of the highway described in Schedule "A" are hereby stopped-up.
2. Within six months after the enactment of this By-law;
 - (i) The Hamilton Automobile Club may purchase the said portion designated Part 1 on Reference Plan 62R-4439 for \$577.50;
 - (ii) William U. Reid and Lillethe E. Reid may purchase the said portion designated Part 2 on Reference Plan 62R-4439 for \$865.30; and
 - (iii) Maindale Properties Limited may purchase the said portion designated Part 3 on Reference Plan 62R-4439 for \$2,442.80.
3. If the Hamilton Automobile Club, William U. Reid and Lillethe E. Reid and Maindale Properties Limited do not purchase the said portions of highway within the said period of six months, or such period as may be fixed by a subsequent by-law, the sale of each Part may be authorized to any other person at the same or a greater price.

PASSED this 26th

day of June

A.D. 1979.

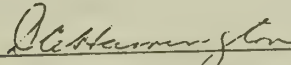

City Clerk


Mayor

SCHEDULE "A"

DESCRIPTION FOR BY LAW TO CLOSE ALLEY
RUNNING WESTERLY FROM TISDALE STREET SOUTH OF
14 TISDALE STREET SOUTH

All and singular those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of an 11' alleyway opened by Judge's Order 72437 Hamilton and City of Hamilton By Law No. 864 dated June 28, 1909 and registered in the Land Registry Office for the Registry Division of Wentworth as By Law 221, said alleyway formerly part of Lot 5 according to James G. Davis Survey registered in the said Land Registry Office as Plan No. 224, and which said parcels may be more particularly described as all of Parts 1, 2 and 3 according to a Reference Plan received and deposited in the said Land Registry Office on October 3, 1978 as Plan 62R-4439.



D.A. HARRINGTON
ONTARIO LAND SURVEYOR

Department of Engineering
24 April, 1979
DAH:sr

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 205

To Repeal:

Zoning By-law No. 79-100

Respecting:

LAND LOCATED AT MUNICIPAL NO. 96 EMERSON STREET

WHEREAS By-law No. 79-100, passed on the 27th day of March, 1979, rezoned the land shown on schedule "A" thereto from "J" (Light and Limited Heavy Industry, etc.) district to "G" (Neighbourhood Shopping Centre, etc.) district;

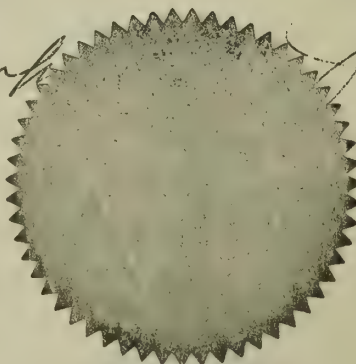
AND WHEREAS Item 4 of the 21st Report of the Planning and Development Committee, adopted by City Council on the 26th day of June, 1979, directed that By-law No. 79-100 be repealed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 79-100 is repealed.

PASSED this 26th day of June A.D. 1979.

E.A. Lamb
City Clerk



John A. MacDonald
Mayor

Bill No. 206

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 206.

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 96 EMERSON STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-41 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "J" (Light and Limited Heavy Industry, etc.) district to "C" (Urban Protected Residential, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "C" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variance as a special requirement:

- 1. Notwithstanding clause (ii) of subsection 3 of section 9 of By-law No. 6593, there shall be provided and maintained a side yard along the south side lot line, of a width of at least 25 feet.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-654".

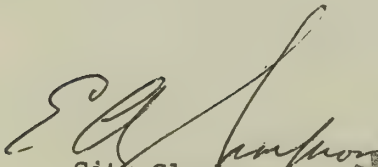
5. Sheet No. W-41 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-654".

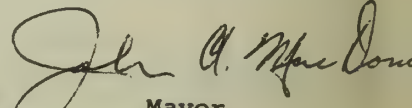
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 26th day of June

A.D. 1979.


City Clerk


Mayor



(1979) 21 R.P.D.C. 5, June 26
C.I. 78-U

PLAN SHOWING
LOT 63 - REGISTRAR'S COMPILED PLAN NO. 1480
 IN THE
CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
 SCALE 1" = 30'
 D. A. HARRINGTON - ONTARIO LAND SURVEYOR
 1979



STREET
 LOT 123
 R.C.P. NO. 1480

EMERSON
 LOT 64
 R.C.P. NO. 1480



LOT 54
 R.C.P. NO. 1480

DEPARTMENT OF ENGINEERING - LAND SURVEYS

EMERSON AND AYLETT STREETS - SCHEDULE FOR ZONING BY-LAW 79-206

SURVEY BY COMP FIELD BOOK
 DRAWN BY J.P. REF DWG'S W. 43 P. 1264
 SCALE 1" = 30'

DATE JANUARY 1979
 CHECKED BY H.S.

IT'S SURVEYOR & ALBANY

PLAN No. NS - 2319 SURVEYS

APPROVED

W. Phillips
 CITY ENGINEER

NOTES:

- 1 DENOTES ALL OF LOT 63 REGISTRAR'S COMPILED PLAN NO. 1480 - TO BE RE ZONED
- 2 R.C.P. DENOTES REGISTRAR'S COMPILED PLAN.

Bill No.

206

This is Schedule "A" to By-law No. 79-206 passed the 26th day of June, A.D. 1979

SA Simpson
 City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

John A. McDonald
 Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 207

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA WEST OF SANFORD AVENUE,
BETWEEN BARTON STREET AND BRISTOL STREET

WHEREAS it is intended to change the zoning of the
land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the
Official Plan of the Hamilton Planning Area, proposed by the
Council of The Corporation of the City of Hamilton, but not
yet approved by the Minister under The Planning Act at the
time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the
City of Hamilton enacts as follows:

1. Sheet No. E-21 of the District Maps, appended to and
forming part of By-law No. 6593, passed on the 25th day of
July, 1950, is amended,

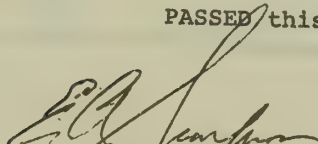
- (a) by changing from "H" (Community Shopping
and Commercial, etc.) district to "D"
(Urban Protected Residential - One and
Two Family Dwellings, etc.) district, the
land,

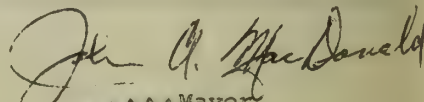
the extent and boundaries of which are shown on a plan hereto
annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to
proceed as soon as possible with the giving of notice of the
passing of this by-law, including a brief explanation of its
purpose, and with the carrying out of all other directions of
the Ontario Municipal Board relating to the giving of such
notice.

3. The City Solicitor is hereby authorized and directed
to make application to the Ontario Municipal Board for the
necessary approval of this by-law.

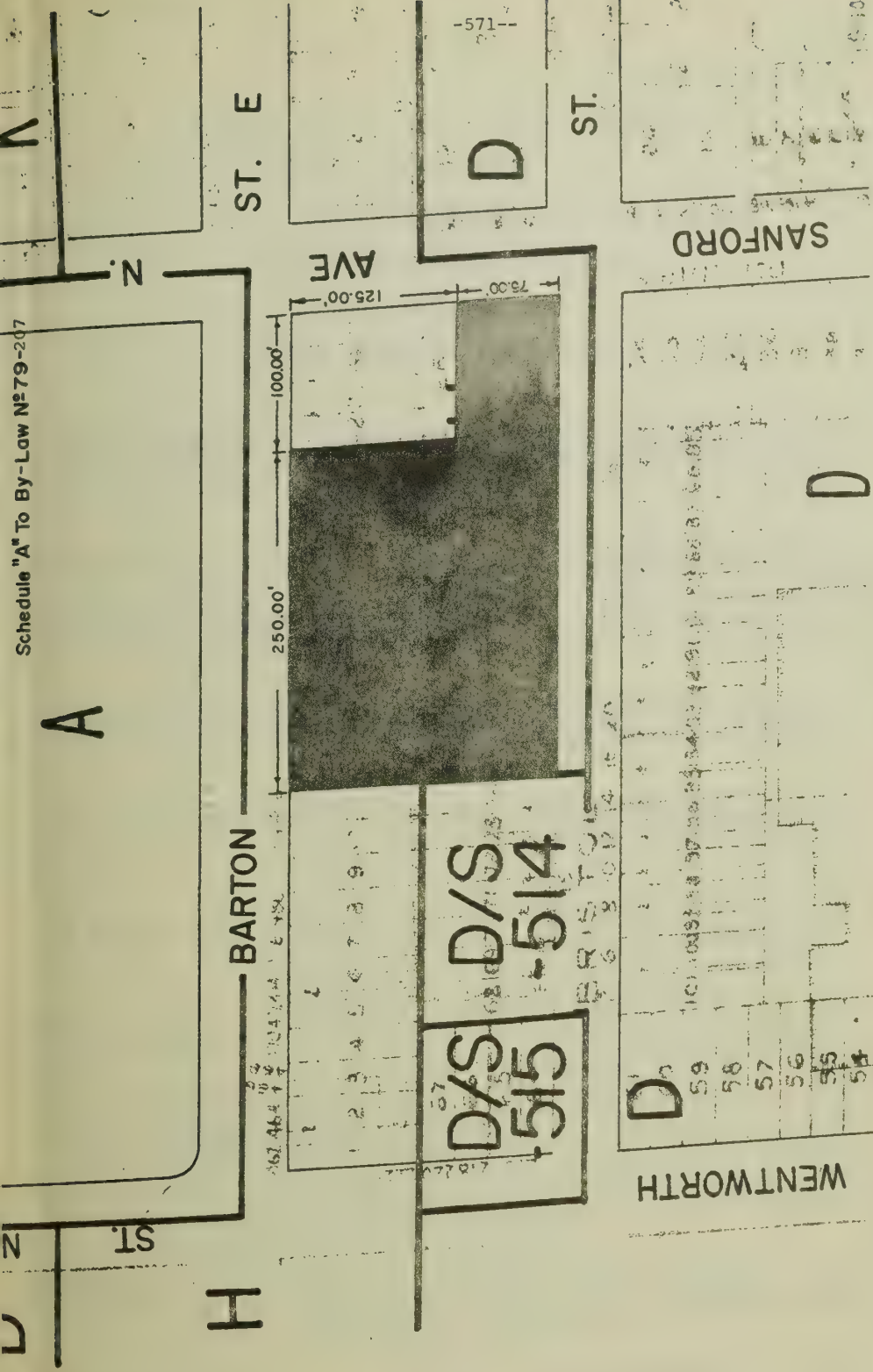
PASSED this 26th day of June A.D. 1979.


City Clerk


Mayor

(1979) 21 R.P.D.C. 2(b), June 26
City Initiative 79-Q





06/26/79

Scale: 1" = 100' ±

LEGEND

Lands on Part of Sheet No. E-21 of The Zoning District Maps to be re-zoned from "H" (Community Shopping and Commercial, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.

This is Schedule "A" to By-law No. 79-207 passed the 26th day of June, A.D. 1979

Bill No. 207

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 208

To Amend:

General Zoning By-law No. 6593

Respecting:

ANTENNAES, TOWERS OR MASTS

WHEREAS By-law No. 6593, passed on the 25th day of July, 1950, as amended, provides for the regulation of communications transmitting and receiving antennae, tower or mast;

AND WHEREAS the antennae, towers or masts are subject to Federal Government control;

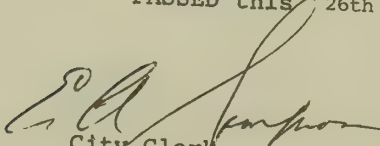
AND WHEREAS it is desirable to delete the regulation of antennae, towers or masts from By-law No. 6593;

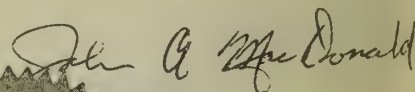
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

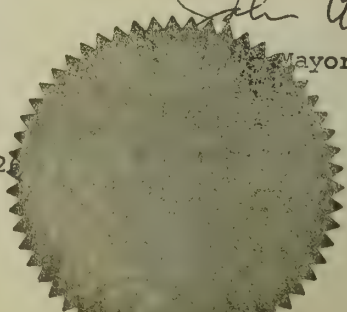
1. Clauses (x) and (xiva) of subsection 3 of section 3 of By-law No. 6593 are repealed.
2. Subsection 4 of section 3 of the said By-law is amended by adding at the end thereof, "or communications transmitting and receiving antennae, tower or mast."
3. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
4. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 26th day of June A.D. 1979.


City Clerk


Mayor

(1979) 21 R.P.D.C. 3, June 26
C.I. 79-R



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 209

To Amend:

Zoning By-law No. 78-133

Respecting:

LAND LOCATED AT MUNICIPAL NO. 701 LIMERIDGE ROAD EAST

WHEREAS By-law No. 78-133, passed on the 9th day of May, 1978, rezoned the land shown on schedule "A" thereto from "C" (Urban Protected Residential, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district;

AND WHEREAS the Ontario Municipal Board in its Oral Decision on May 7, 1979 provided as follows:

City to prepare an amending by-law to amend By-law 78-133 by "Special Exceptions/Notifications", generally according to Exhibit 7. Amending by-law to be approved by Mr. Merling in draft form on behalf of his clients, and again by him after third reading by City Council. Then (if no objections by Mr. Merling) the Board will approve, without further notice or hearing, both By-law 78-133 and its above described amending by-law.;

AND WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950, in order to implement the decision of the Ontario Municipal Board;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

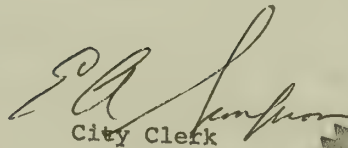
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

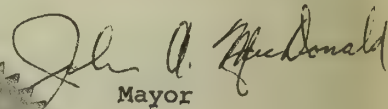
1. By-law No. 78-133 is amended by adding thereto the following sections:

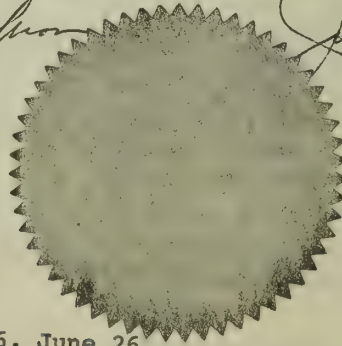
1a. The "D" District provisions applicable to the land, the extent and boundaries of which are shown on a plan annexed to By-law No. 78-133 as schedule "A", are amended to the extent only of the following variances as special requirements:

1. Notwithstanding section 10(1)(ii) of By-law No. 6593, semi-detached dwellings are prohibited.
 2. Section 10(1)(iii) of By-law No. 6593 shall not apply.
 3. No building shall be erected, nor shall any building be used, nor shall any land be used for other than two single family dwellings, each situate on a separate lot having a width of 31.25 feet and a depth of 105.48 feet and in conformity with a plan hereto annexed as schedule "B".
- 1b. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1a.
2. By-law No. 6593 is amended by adding this by-law to section 19B as "S-655".
3. Sheet No. E-38A of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-655".

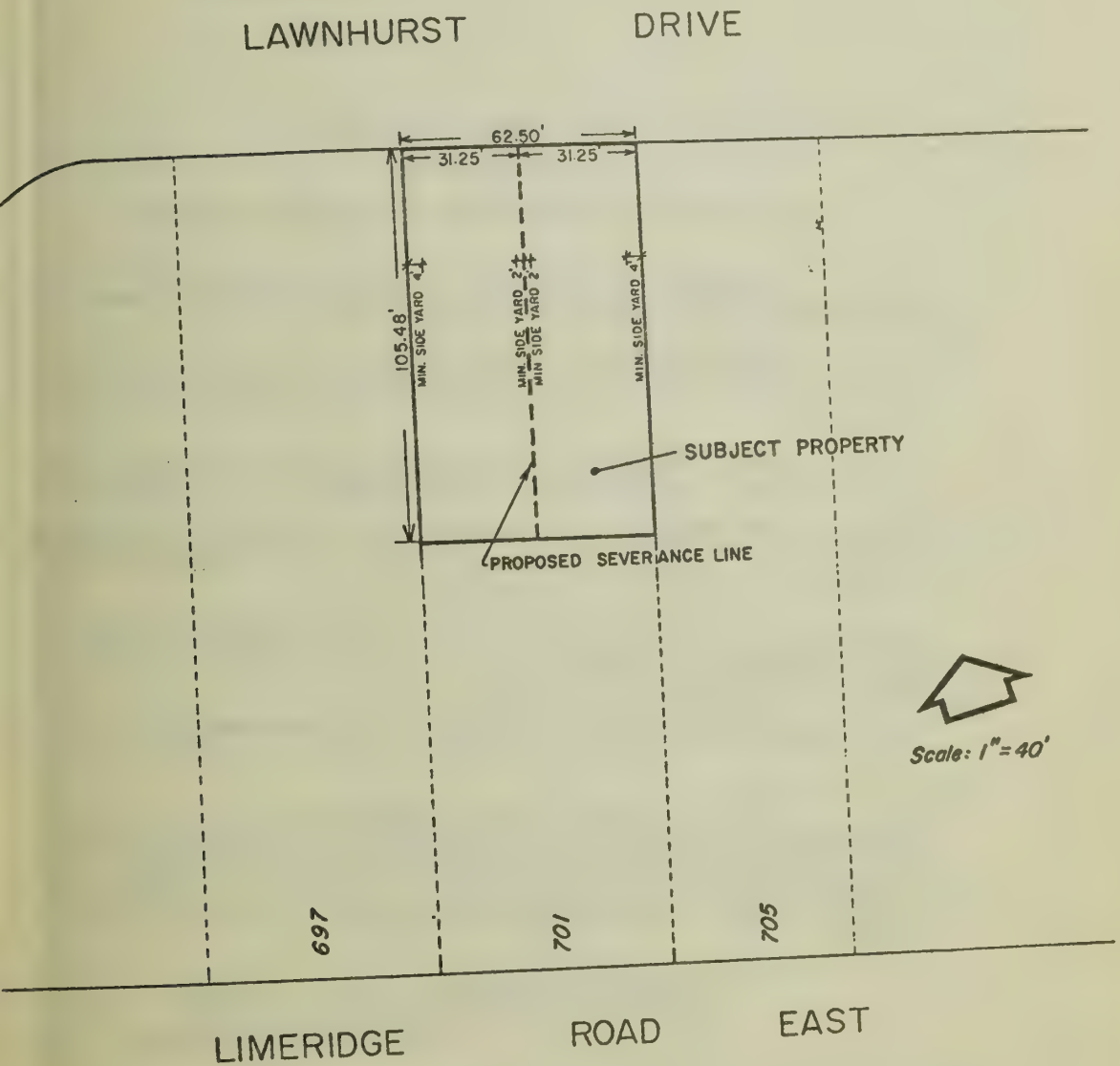
PASSED this 26th day of June A.D. 1979.


City Clerk


Mayor



(1979) 21 R.P.D.C. 6, June 26
Z.A. 78-04
O.M.B. Decision, May 7, 1979



SKETCH SHOWING DEVELOPMENT OF LANDS SUBJECT TO
BY-LAW 78-133

LAW NO. 78-133
IBIT NO. 7
I.B. FILE NO. 782229
F NO 7A-7R-04

Bill No. 209

This is Schedule "B" to By-law No. 79-209 passed the 26th day of June, A.D. 1979

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 210

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 38 HESS STREET SOUTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS the land located at Municipal No. 38 Hess Street South is zoned "E-3" (High Density Multiple Dwellings) District;

AND WHEREAS the "E-3" District does not provide for the commercial uses referred to in section 1 of this by-law;

AND WHEREAS it is intended that the existing buildings located on the said land may be converted into commercial uses referred to in section 1 of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-3" (High Density Multiple Dwellings) District provisions of By-law No. 6593, passed on the 25th day of July, 1950, applicable to the land, the extent and boundaries of which are shown on schedule "A" hereto annexed, are amended to the extent only of the following variances as special requirements:

1. Notwithstanding section 11C(1) of By-law No. 6593, the existing buildings may be converted to one or more of the following:

1. Commercial Uses:

- A. Bank, Financial Institution;
- B. Professional Office, Business Office, Optician's Office;
- C. Photographer's Studio, Artist's Studio;
- D. Barber Shop, Hairdressing Establishment, Beauty Parlour;
- E. Tailor Shop, Dressmaking Establishment;
- F. Restaurant, Outdoor Cafe, Tavern;
- G. Pharmacy;
- H. Sporting Goods Store;
- I. Public Parking Lot;

ii. Commercial Boutique Type Uses:

- J. Music or Record Shop;
- K. Gift Shop;
- L. Art Gallery;
- M. Retail Book Store;
- N. Wearing Apparel Shop, Millinery Shop;
- O. Food Shop.

2. Accessory uses to the uses permitted under paragraph 1, as follows:

- i. parking spaces for each converted building;
 - ii. one ground sign or wall sign or projecting sign.
3. Not less than 3 parking spaces shall be provided and maintained for each converted dwelling referred to in paragraph 1 on the lot or within 600 feet of the lot.
4. No sign shall be provided and maintained that,
- (a) exceeds 4 square feet in area; and
 - (b) is illuminated in a manner that is other than non-flashing, indirect or internal;
 - (c) is located less than 5 feet from the nearest street line.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used except in accordance with the "E-3" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-656".

4. Sheet No. W-4 of the District Maps appended to and forming part of By-law No. 6593 is amended by marking the land referred to in section 1, "S-656".

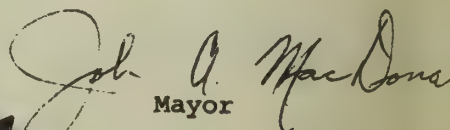
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

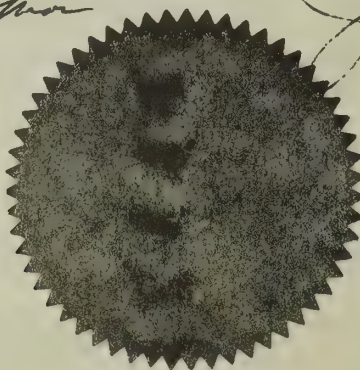
6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 26th day of June

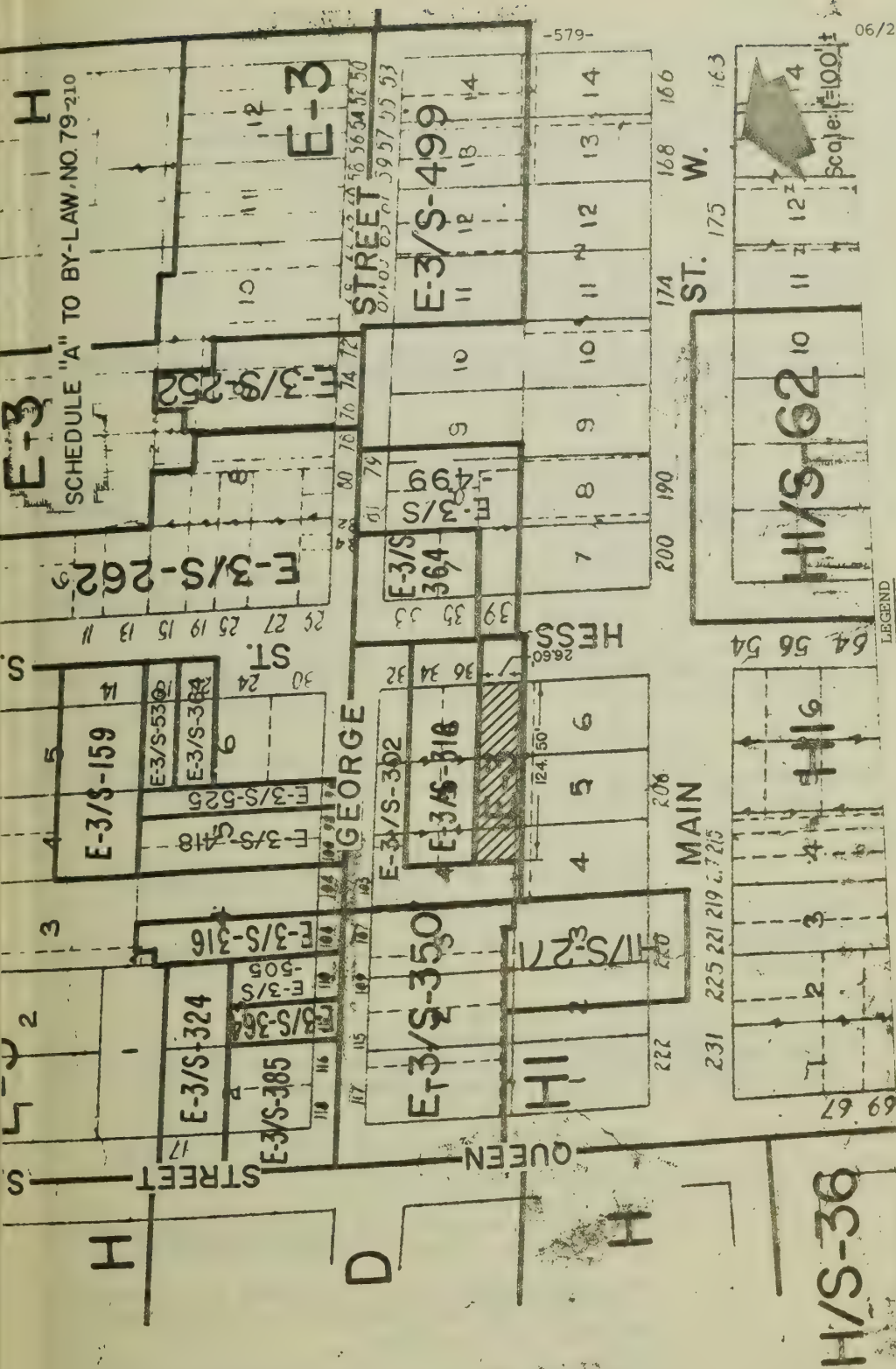
A.D. 1979


City Clerk


Mayor



(1979) 23 R.P.D.C. 1, June 26
Yorkfield Agencies Limited, Owner
Z.A. 79-26



06/26/79

-579-

E-3 I
SCHEDULE "A" TO BY-LAW NO. 79-210

E-3/S-262

E-3/S-159

E-3/S-324

E-3/S-385

E-3/S-316

E-3/S-364

E-3/S-384

E-3/S-525

E-3/S-418

E-3/S-302

E-3/S-318

E-3/S-350

E-3/S-499

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The Corporation of the City of Hamilton

BY-LAW NO. 79 - 211

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE NORTH AND SOUTH SIDES OF BURTON STREET,
BETWEEN DOUGLAS STREET AND CHEEVER STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-11 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "K" (Heavy Industry, etc.) district to "J" (Light and Limited Heavy Industry, etc.) district, the land,

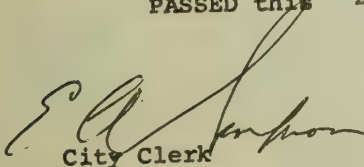
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

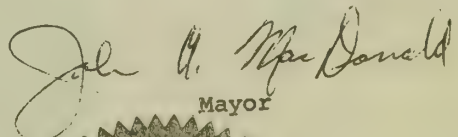
2. The "J" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variances as special requirements:

1. Notwithstanding section 16(1) of By-law No. 6593, mould and die manufacturing shall be a permitted use.
2. The use of the land for ingress to and egress from Douglas Street is hereby prohibited.
3. No loading area shall be situate on the north side or on the west side of the land or any building or structure.
4. There shall be provided and maintained within the district for every building or structure, a side yard along the side lot line abutting Douglas Street, of a width of at least 5 feet.
5. No land shall be used and no building shall be erected, altered, extended or enlarged unless there is provided and maintained either a solid wall without openings or a wall composed of non-opening double glazed windows, for the building facades facing in the direction of,
 - (i) Douglas Street; and

- (ii) the Toronto, Hamilton and Buffalo Railway lines.
6. A screening shall be provided and maintained not more than 10 feet from the lot line of the land abutting Douglas Street, composed of,
- (i) a visually closed fence not less than 6 feet in height; or
- (ii) an architecturally designed wall not less than 6 feet in height, that may be part of a building.
7. A screening shall be provided and maintained along the west limit of the land abutting the east limit of the property known as 104 Burton Street, composed of,
- (i) a visually closed fence not less than 6 feet in height; or
- (ii) an architecturally designed wall not less than 6 feet in height, that may be part of a building.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,
- (a) the "J" District provisions,
- subject to the special requirements referred to in section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-648".
5. Sheet No. E-11 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-648".
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 26th day of June A.D. 1979.


City Clerk


Mayor



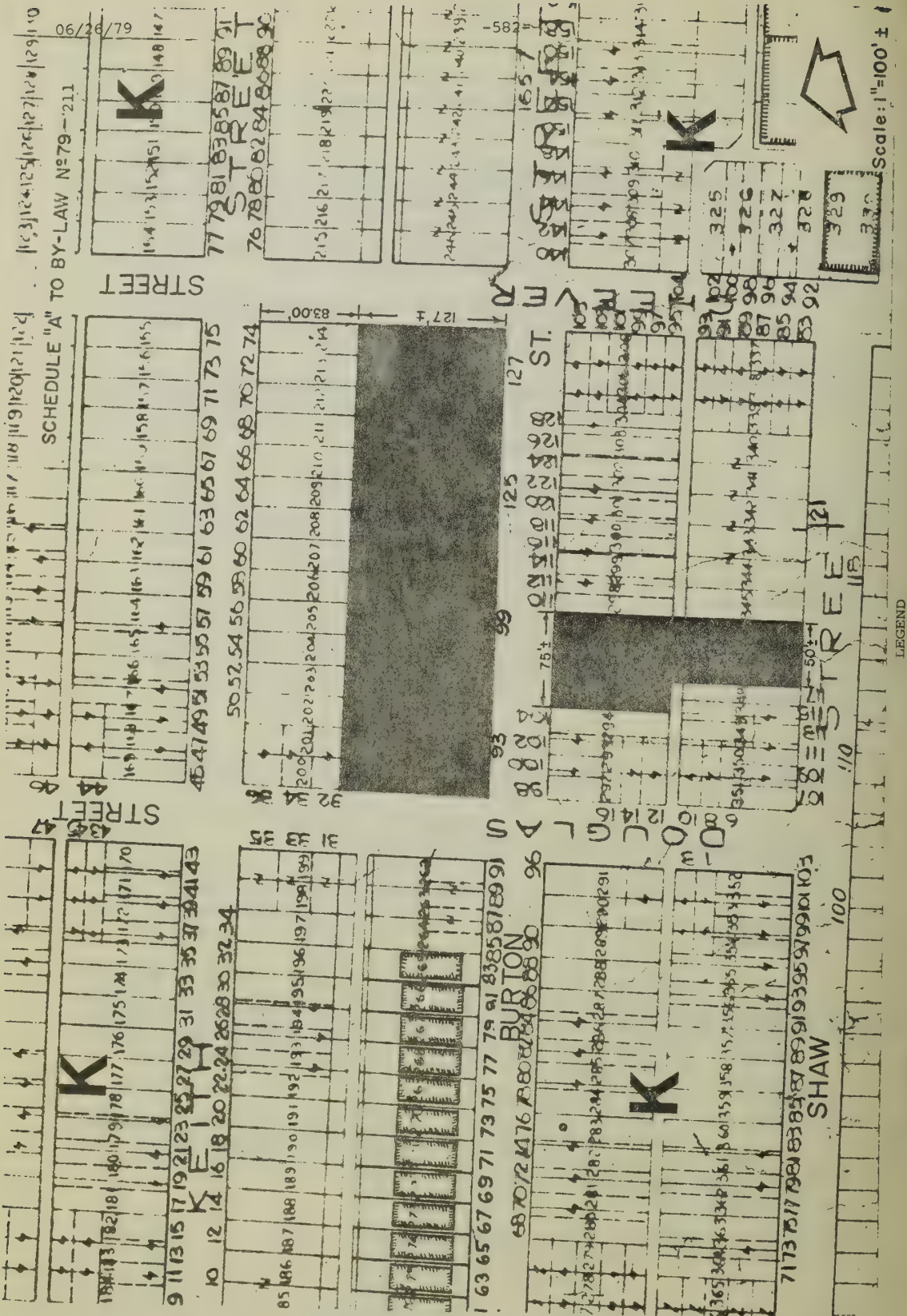
This is Schedule "A" to By-law No. 79-211 passed the 26th day of June, A.D. 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

Bill No. 213



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 212

To Amend:

By-law No. 67-83

Respecting:

PROFESSIONAL BOAT RACING

WHEREAS By-law No. 67-83, passed on the 14th day of March, 1967, declared section 1 of The Lord's Day Act (Ontario) to be in force in the City of Hamilton with respect to public games or sports specified in the By-law;

AND WHEREAS Professional Boat Racing is not a public sport specified in section 1 of By-law No. 67-83;

AND WHEREAS it is desirable to permit Professional Boat Racing on Sunday, limited to a part of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

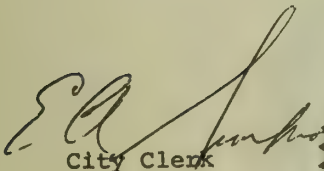
1. Subsection 2 of section 1 of By-law No. 67-83 is amended by adding thereto the following paragraph:

10. Professional Boat Racing.

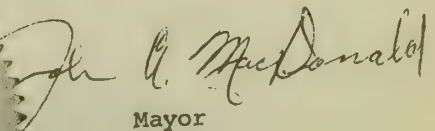
2. By-law No. 67-83 is amended by adding thereto the following:

3b. Professional Boat Racing may be carried on only in Confederation Park and in that part of the Municipality of the City of Hamilton comprised of Lake Ontario in accordance with The Territorial Division Act, R.S.O. 1970, Chapter 458, and fronting on Confederation Park.

PASSED this 26th day of June A.D. 1979.


City Clerk




Mayor

Bill No. 215

BY-LAW No. 79- 213

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 26TH DAY OF JUNE A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 26th day of June A.D., 1979.

E.A. Thompson
City Clerk

John A. MacDonald
Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79- 214

To Adopt:

Official Plan Amendment No. 320

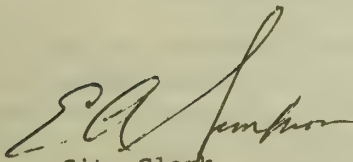
Respecting:

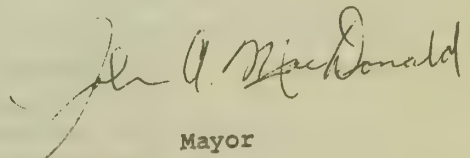
VACANT LANDS FOR PARKING PURPOSES
WITHIN THE CITY OF HAMILTON PLANNING AREA

The Council of The Corporation of the City of
Hamilton enacts as follows:

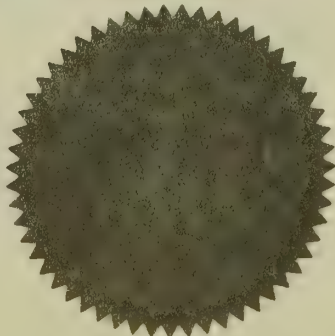
1. Amendment No. 320 to the Official Plan of the
Hamilton Planning Area consisting of Schedule 1, hereto
annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such
approval of the Official Plan Amendment referred to in
section 1 above, as may be requisite, be obtained and for
the doing of all things for the purpose thereof.

PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor

(1979) 25 R.P.D.C. 6, July 31



SCHEDULE 1 TO BY-LAW NO. 79- 214

AMENDMENT NO. 320 to the Official Plan for the Hamilton Planning Area.

The following text constitutes Amendment No. 320.

Purpose: To establish provisions for the use of vacant lands for parking purposes within the Hamilton Planning Area, as provided for in the Planning Act, Section 35 (29) (RSO 1970, Chapter 349 as amended by Bill 88, 1974).

Location: Those lands comprising the City of Hamilton Planning Area.

Basis: Vacant lands may be ideally suited to alleviating parking pressures associated with certain land uses. Temporary parking lots as an interim land use, do not jeopardize future alternatives and do not require Official Plan Amendments.

Policy: Those lands that are vacant and may be advantageously utilized to relieve traffic-parking difficulties in the City of Hamilton planning area may be authorized by City Council to be utilized as temporary parking lots. Such parking lots shall be established notwithstanding the general intent of the neighbourhood plan as well as the goals and objectives of the Official Plan.

Furthermore, these temporary parking areas are not to unduly impede pedestrian movement, the use of open space, a residential area or other public uses, and shall be sited and designed with the best interests of the general environment of the neighbourhood.

The use of such vacant lands for temporary parking shall not exceed 2 years or the period during which the owner of the land at the time of acquisition continues to be the owner thereof, whichever is the lesser, as provided for in section 35 (29) of the Planning Act.

Implementation:

Pursuant to Section 35 (29) of the Planning Act, and in accordance with the policies set out in this Amendment, Council may authorize and establish provisions relating to the use of vacant land for parking purposes, by means of the Restricted Area By-law.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 215

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 44 and 52 ELGIN STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-4 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "J" (Light and Limited Heavy Industry, etc.) district to "A" (Conservation, Open Space, Park and Recreation) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "A" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variance as a special requirement:

- 1. Notwithstanding section 7 of By-law No. 6593, parking of vehicles shall be permitted for a period not exceeding two years from the date of the passing of this by-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "A" District provisions, subject to the special requirement referred to in section 2.

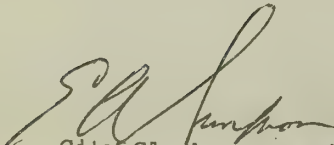
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-657".

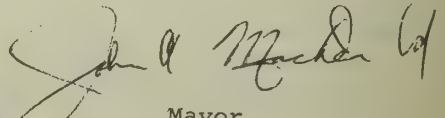
5. Sheet No. E-4 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-657".

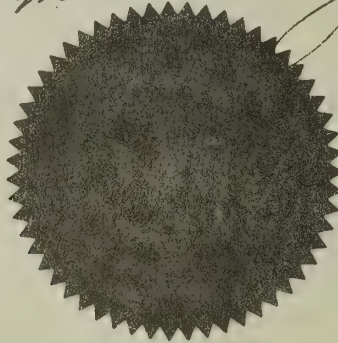
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

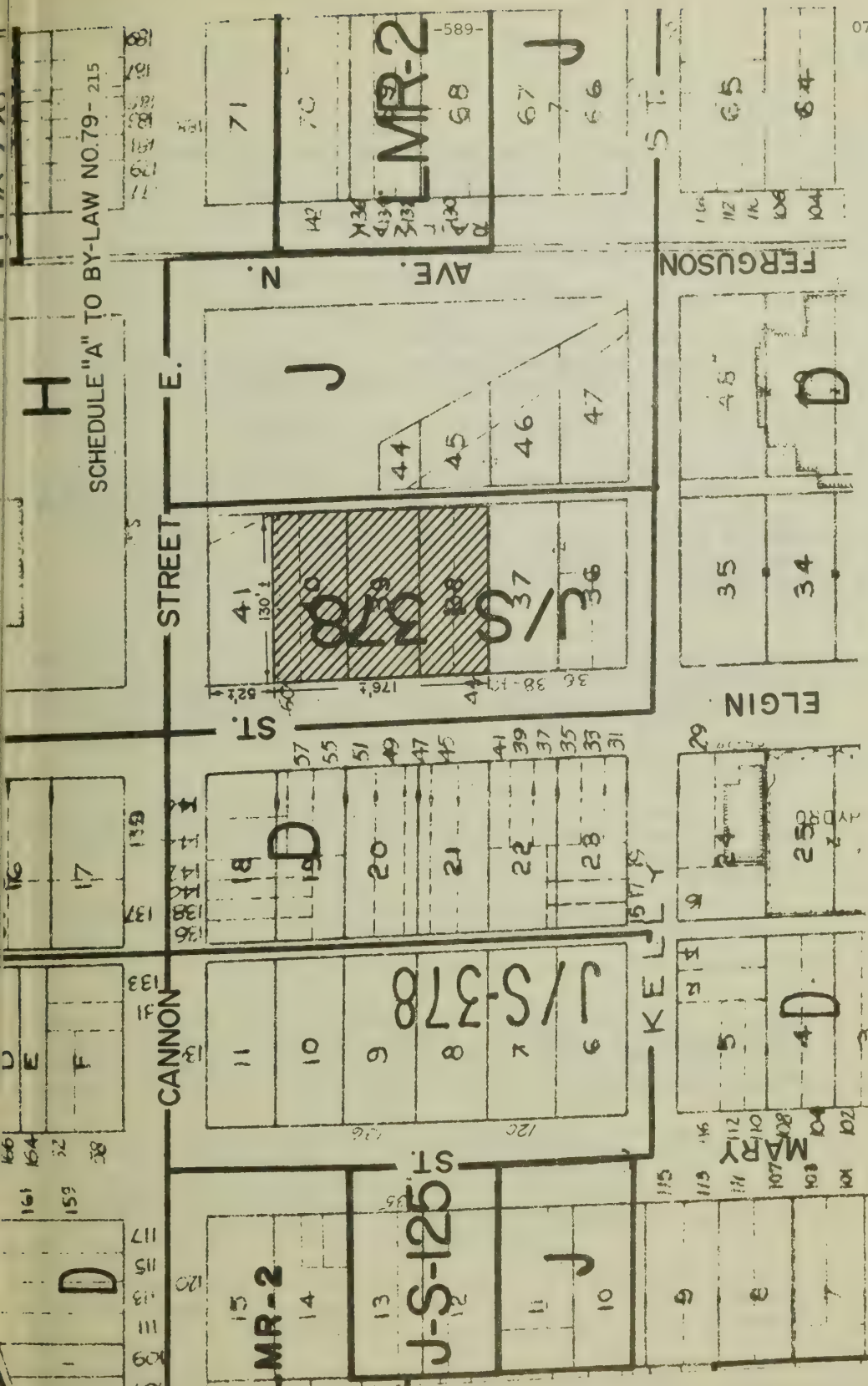
PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor



(1979) 23 R.P.D.C. 3, June 26
City Initiative 79-U



07/31/79

 Scale: 1" = 100'

LEGEND

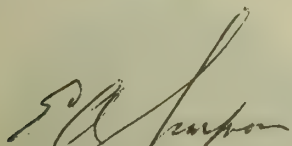
Lands on Part of Sheet No. E-4 of The Zoning District Maps to be re-zoned from "J" (Light and Limited Heavy Industry, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District.

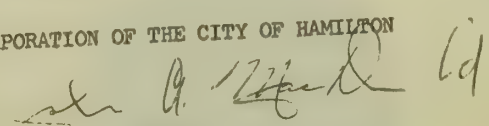


Bill No. 217

This is Schedule "A" to By-law No. 19-215 passed the 31st day of July A.D. 1979.

THE CORPORATION OF THE CITY OF HAMILTON


 City Clerk


 Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 216

To Amend:

Zoning By-law No. 76-229

Respecting:

LAND LOCATED AT MUNICIPAL NO. 197 DELAWARE AVENUE
IN THE ST. CLAIR NEIGHBOURHOOD

WHEREAS By-law No. 76-229, passed on the 27th day of July, 1976, rezoned residential lands in the St. Clair Neighbourhood including the lands at Municipal No. 197 Delaware Avenue from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "C" (Urban Protected Residential, etc.) district;

AND WHEREAS the Ontario Municipal Board in its Oral Decision made on April 26, 1979, said that it "will therefore withhold its approval of the by-law to allow the City to pass an amending by-law exempting the Ellis property", (Municipal No. 197 Delaware Avenue), and "When the amending by-law is received, the Board will approve By-law 76-229, as amended without further notice or hearing.";

AND WHEREAS Item 6 of the 20th Report of the Planning and Development Committee, adopted by City Council on May 29, 1979, has approved the exemption.

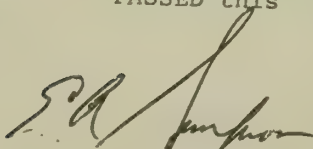
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

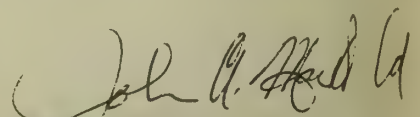
1. Sheet No. E-23 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, as amended by clause (a) of section 1 of By-law No. 76-229, passed on the 27th day of July, 1976, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land located at Municipal No. 197 Delaware Avenue,

shown on schedule "A" to By-law No. 76-229, the extent and boundaries of which are shown on a plan hereto annexed as schedule "B".

PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 217

To Amend:

Streets By-law No. 9329

Respecting:

INSTALLATION OF UNDERGROUND DISTRIBUTION SYSTEMS
FOR POWER, TELEPHONE AND CABLE T.V. SERVICES

WHEREAS paragraph 98 of section 354 of The Municipal Act, R.S.O. 1970, chapter 284 provides for the passing of by-laws by municipalities for the laying of poles, wires or conduits across, along or under any highway or public place;

AND WHEREAS it is desirable to require all distribution systems of power, telephone and cable T.V. services to be installed underground in new subdivisions.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 9329 is amended by adding thereto the following section:

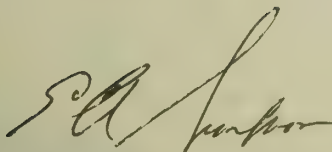
Underground Services in New Subdivisions

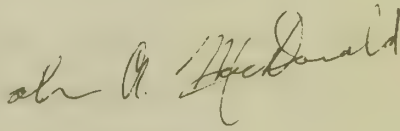
- 10a. Notwithstanding any other provision of this by-law, all wires and conduits for,
- (a) the transmission of electricity; and
 - (b) electrical or electric impulses, signals and messages of every kind and nature,

shall be installed underground in new subdivisions.

PASSED this 31st day of July

A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 218

To Designate:

CUSTOM HOUSE, LOCATED AT MUNICIPAL NO. 51 STUART STREET

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 in accordance with subsection 3 of section 29 of The Ontario Heritage Act, 1974, S.O. 1974, Chapter 122;

AND WHEREAS no notice of objection was served on the Clerk of the City of Hamilton;

AND WHEREAS it is desired to designate the property mentioned in section 1 in accordance with clause (a) of subsection 6 of section 29 of The Ontario Heritage Act, 1974.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property known as Custom House, located at Municipal No. 51 Stuart Street, and more particularly described in schedule "A" hereto annexed is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B" to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

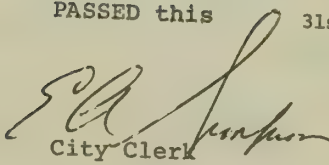
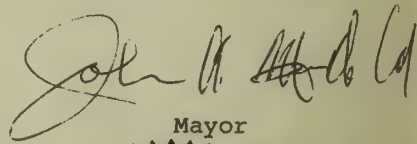
- (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owners and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this

31st day of

July

A.D. 1979.


City Clerk
Mayor

(1979) 23 R.B.C. 23, April 24



SCHEDULE "A"

TO

BY-LAW NO. 79 - 218

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and being composed of Lots Nos. Nineteen and Twenty (19 & 20) lying on the south side of Stuart Street in Block Number 20 of Sir Alan N. MacNab's Survey in the Block bounded by Bay, Stuart, MacNab and Murray Streets and more particularly described as follows:

COMMENCING at the north-east angle of the said Lot No. 20 which point is also in the southern limit of Stuart Street, distant one hundred and twenty feet, one and one-half inches (120' 1 1/2") measured westerly thereto from the intersection of the west limit of MacNab Street with the said southern limit of Stuart Street according to the said Survey;

THENCE westerly along the said southern limit of Stuart Street, one hundred and twenty feet, one and one-half inches (120' 1 1/2") to the northwestern angle of the said Lot No. 19;

THENCE southerly along the westerly limit of said Lot No. 19, one hundred and forty-five feet, two and one-half inches to the southwest angle of the said Lot 19;

THENCE easterly along the southwestern limit of the said Lots Nos. 19 and 20, one hundred and twenty feet, one and one-half inches to the southeast angle of the said Lot No. 20;

THENCE northerly along the eastern limit of said Lot No. 20, one hundred and forty-five feet, two and one-half inches (145' 2 1/2") to the place of beginning.

SCHEDULE "B"

TO

BY-LAW NO. 79 - 218

The Custom House ranks as a heritage building of prime importance to the City and the Province. Commissioned by the United Province of Canada Legislative Assembly, it was built in 1850-60 as a custom house, a relatively uncommon building type in nineteenth century Ontario. It is the oldest and now the only major public building in the City of Hamilton that has survived relatively unaltered from the past century. It reflects the City's role as a major Great Lakes port and an important station on the Great Western Railway. It stands as a monument to Hamilton's prominent role in the development of trade and commerce during the formative years of this country.

This beautifully proportioned and composed building stands as one of the finest examples from the City's brief but highly productive period of stone architecture dating from the 1840's to the 1860's. It was designed in the Renaissance revival style of architecture popular at the time, with the unity and regularity of a "palazzo" block, the horizontal emphasis of uninterrupted string course and cornice, and the pedimented windows with side pilasters. The rhythmic progression of arched and pedimented windows, the elaborate treatment of the central bay and the finesse of the classical decoration contribute to the artistic success of the building. The high quality of workmanship is still clearly evident in the ashlar masonry on all four facades.

BY-LAW NO. 79 - 219

TO WIDEN MERICOURT ROAD,
BY INCORPORATING RESERVE "B", PLAN NO. 917

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

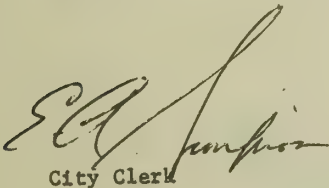
AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Mericourt Road by incorporating within its limits the lands described in Schedule "A" hereto.

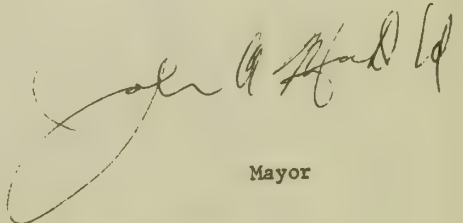
AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Mericourt Road.
2. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor

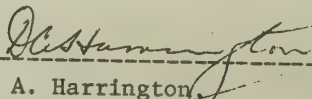


SCHEDULE "A"

Description for By-law to widen
Mericourt Road by incorporating
Reserve "B" R.P. 917

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Reserve "B" according to Abbotsford Gardens registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 917.

The above described parcel shown in heavy outline on Plan N.S. 2318 Surveys hereto attached.



D. A. Harrington,
Ontario Land Surveyor.

Department of Engineering
29th June, 1979.
DAH/rmd

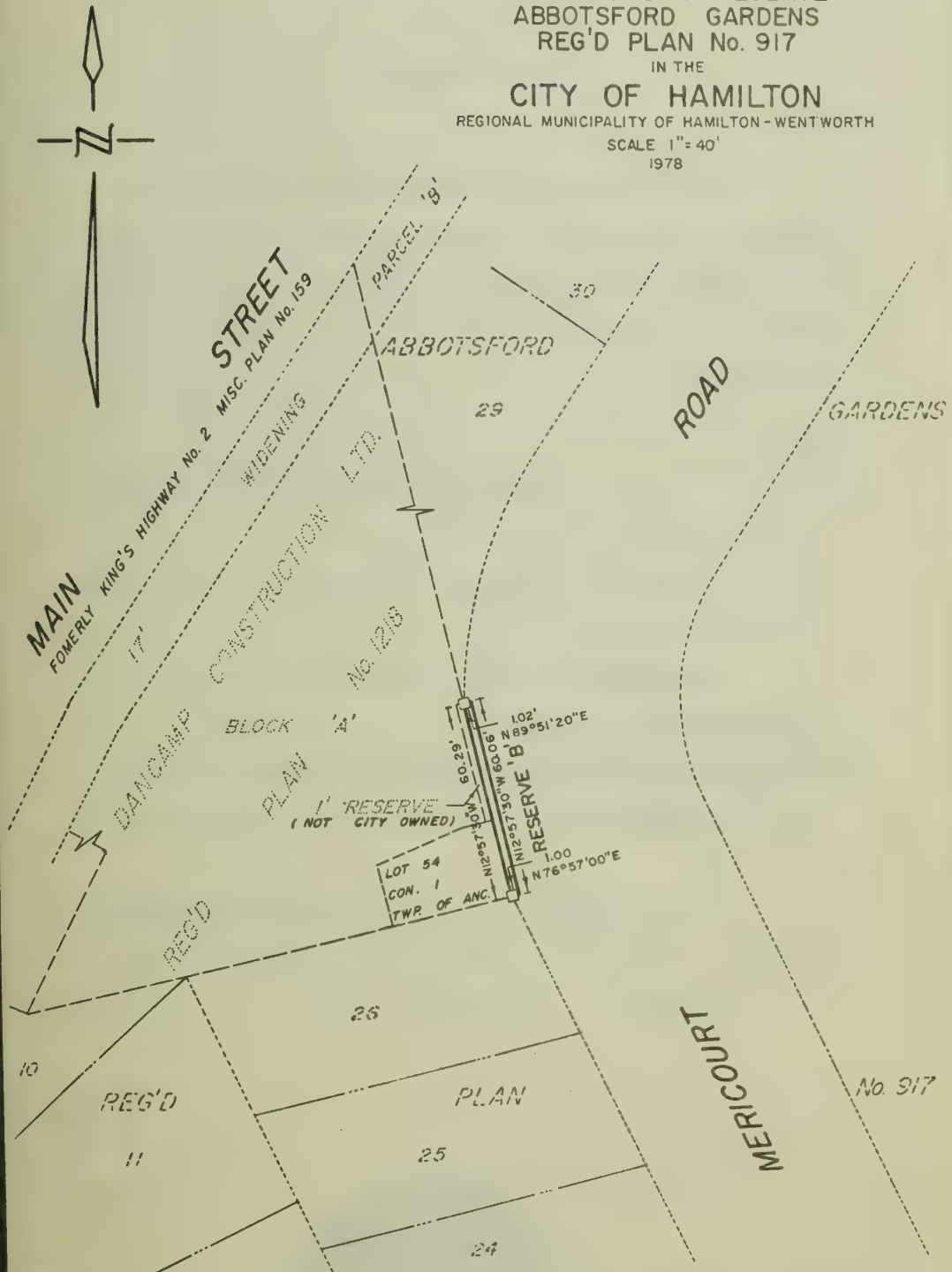
FORM S.P. 8

SKETCH TO ILLUSTRATE DESCRIPTION OF
RESERVE 'B' I'-RESERVE
ABBOTSFORD GARDENS
REG'D PLAN No. 917

IN THE

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE 1" = 40'
1978

NOTE

BEARINGS SHOWN HERE ARE ASTRONOMIC AND ARE REFERRED TO THE
NORTHERN LIMIT OF ABBOTSFORD GARDENS AS SHOWN ON REGISTERED
PLAN No. 917 ON A COURSE OF N77°01'30"E.

CITY OF HAMILTON
DEPARTMENT OF ENGINEERING - LAND SURVEYS

MERICOURT ROAD - INCORPORATING RESERVE 'B' I'-RESERVE INTO THE STREET.

SURVEY BY	COMP.	FIELD BOOK	FILE No. 827-0001	DATE DECEMBER 1978
DRAWN BY	RICK	REF. DWG'S A-149 W-225		CHECKED BY H.S.

J. 20

APPROVED

CITY ENGINEER

CITY SURVEYOR *D. Hamington* O.L.S.

PLAN No. NS-2318 SURVEYS

BY-LAW NO. 79 - 220

TO WIDEN MILANO COURT
BY INCORPORATING BLOCK "EX", PLAN M-228

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Milano Court by incorporating within its limits the lands described in Schedule "A" hereto.

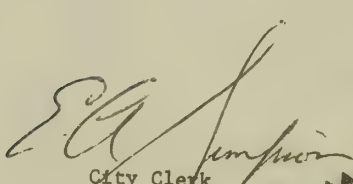
AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

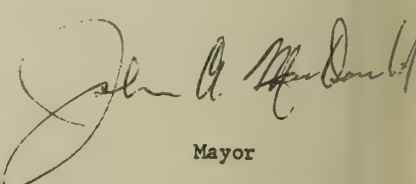
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

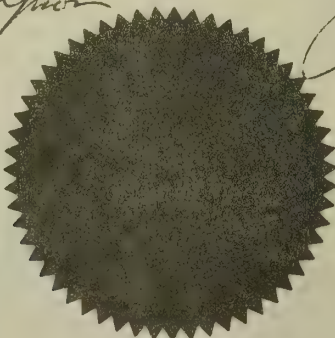
1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Milano Court.
2. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 31st day of July

A.D. 1979.


City Clerk


Mayor

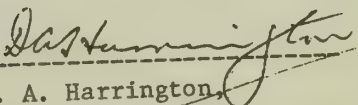


SCHEDULE "A"

Description for By-law to widen Milano
Court by incorporating Block "EX" Plan M-228

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Block "EX" according to Oakington Estates (Phase 5) filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-228.

The above described parcel being shown in heavy outline on Plan N.S. 2324 Surveys hereto attached.



D. A. Harrington,
Ontario Land Surveyor.

Department of Engineering,
29th June, 1979.
DAH/rmd

J. 23

SKETCH TO ILLUSTRATE DESCRIPTION OF
BLOCK EX¹¹ OAKINGTON ESTATES PHASE FIVE PLAN M-228

CITY OF HAMILTON
IN THE
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE 1" = 40'

BEARINGS HEREON ARE ASTRONOMIC AND ARE REFERRED TO MILANO COURT
ON A COURSE N. 79° 31' 30" E. AS SHOWN ON PLAN M-228

CITY OF HAMILTON

DEPARTMENT OF ENGINEERING - LAND SURVEYS

MILANO COURT REMOVING BLOCK "EX"-1.0' RESERVE

SURVEY BY COMP. FIELD BOOK

DRAWN BY J.B.	REF. DWG'S P-1412
---------------	-------------------

FILE No. 839-0001	DATE FEB 1979
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SCALE 1" = 40'

DATE FEB 1979

CHECKED BY H.S.

APPROVED

W. H. Killip

CITY ENGINEER

CITY SURVEYOR William J. Lane O.L.S.

Debenham O.S.

PLAN No. NS-2324 SURVEYS

LOT 55 CONCESSION 3 TOWNSHIP OF ANCASTER

79-220

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 221

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED NORTH OF LIMERIDGE ROAD EAST,
IN THE AREA EAST OF UPPER WELLINGTON STREET

WHEREAS it is intended to change the zoning of the
land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the
Official Plan of the Hamilton Planning Area, approved by the
Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the
City of Hamilton enacts as follows:

1. Sheet No. E-18A of the District Maps, appended to
and forming part of By-law No. 6593, passed on the 25th day
of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district
and "D" (Urban Protected Residential - One and
Two Family Dwellings, etc.) district to "C"
(Urban Protected Residential, etc.) district,
the land,

the extent and boundaries of which are shown on a plan hereto
annexed as schedule "A".

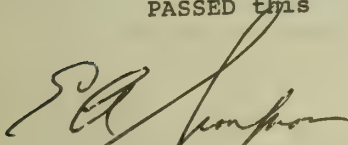
2. The City Clerk is hereby authorized and directed to
proceed as soon as possible with the giving of notice of the
passing of this by-law, including a brief explanation of its
purpose, and with the carrying out of all other directions of
the Ontario Municipal Board relating to the giving of such
notice.

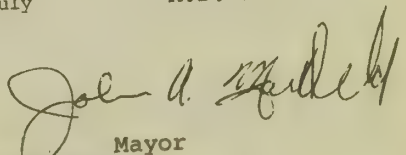
3. The City Solicitor is hereby authorized and directed
to make application to the Ontario Municipal Board for the
necessary approval of this by-law.

PASSED this

31st day of July

A.D. 1979.


City Clerk


Mayor

(1979) 23 R.P.D.C. 2, June 26.
Abbotsford Homes Limited, Owner
Z.A. 79-25



PLAN

SHOWING

PART OF LOT 12 - CONCESSION 6
FORMERLY IN THE TOWNSHIP OF BARTON

NOW IN THE

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
SCALE = 1 : 300

ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 12 AND 13

UPPER WELLINGTON STREET

GOLDFINCH ROAD

JAY STREET

SOUTHWEST CORNER OF LOT 12, CONCESSION 6

LIMERIDGE ROAD EAST

ROAD ALLOWANCE BETWEEN CONCESSIONS 6 AND 7

METRIC

MEASUREMENTS SHOWN ON THIS PLAN ARE IN METRES
AND MAY BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

A.J. CLARKE AND ASSOCIATES
ENGINEERS AND SURVEYORS
HAMILTON ONTARIO

Bill No. 223

This is Schedule "A" to By-law No. 19- 221 passed the 31st day of July A.D. 1979.

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 222

To Designate:

THE BANK OF MONTREAL BUILDING,
LOCATED AT MUNICIPAL NO. 5 MAIN STREET WEST

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 in accordance with subsection 3 of section 29 of The Ontario Heritage Act, 1974, S.O. 1974, Chapter 122;

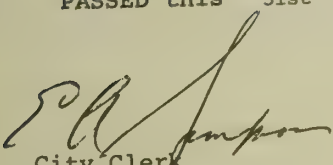
AND WHEREAS no notice of objection was served on the Clerk of the City of Hamilton;

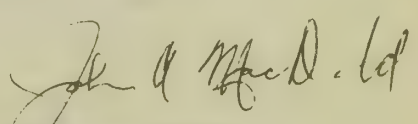
AND WHEREAS it is desired to designate the property mentioned in section 1 in accordance with clause (a) of subsection 6 of section 29 of The Ontario Heritage Act, 1974.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property known as The Bank of Montreal Building, located at Municipal No. 5 Main Street West, and more particularly described in schedule "A" hereto annexed is hereby designated as property of historic and architectural value and interest.
2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B" to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed,
 - (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owners and The Ontario Heritage Foundation by personal service or by registered mail;
 - (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor

SCHEDULE "A"

TO

BY-LAW NO. 79- 222

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Lot 45 in the block bounded by Main, James, Jackson and MacNab Streets according to P. H. Hamilton Survey (unregistered).

SCHEDULE "B"

TO

BY-LAW NO. 79 - 222

This main Hamilton building of the Bank of Montreal, in a monumental and magnificent classical mode, was designed by the Montreal architect Kenneth G. Rea, FRIBA; construction began in 1928 through the Hamilton firm of Pigott Construction. The main facade on James Street is of Queenston dolomite set on a Stansead granite base. The central motif of this facade is composed of four graceful Corinthian columns supporting a pediment incorporating the bank's coat of arms. The three flanking bays are fenestrated with soaring windows separated by Corinthian-headed pilasters. This flanking design and its materials is carried to the north and south facades. The rear elevation is unfinished.

The interior is dominated by the expansive volume of the 35 foot high banking hall. It is classically-decorated with 28 foot Ionic columns in solid red Levanto marble, pilasters against a finely-chiselled Tennessee marble wall and a ceiling spanned by coffered ornamented girders in polychrome.

The September, 1929, issue of the trade magazine Construction, in a major spread on this "magnificent new building...on this historic site", calls it "a splendid example of the best type of Bank Architecture....one of the finest bank premises in Canada...." The article particularly notes the "rich materials and some from great distances", the stone capitals of the exterior columns, the pediment and the pilaster heads, all hand executed on the job, "an example of the stone carver's art of particular interest in the present period of much cast stone detail", and notes with pleasure the choice of a Canadian contractor. The closing remarks of the article are as applicable today as in 1929:

"Altogether this elegant and commodious building is well fitted to render efficient banking service for many years to come and is one of which the Bank of Montreal and the City of Hamilton may justly be proud."

This structure is a critical component of a set of classical buildings clustered around the Main and James intersection and should be seen, therefore, not only as a monument complete in itself, but also as an integral part of this special "financial district" of downtown Hamilton.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 223

To Authorize:

DEMOLITION OF THE BUILDING LOCATED AT
MUNICIPAL NO. 74 AFTON AVENUE

WHEREAS subsection 4 of section 9 of The Ontario Building Code Act, 1974, as re-enacted by S.O. 1978, c. 40, S. 7 provides as follows:

(4) Where the chief official has made an order under subsection 2 and considers it necessary for the safety of the public, he may cause the building to be renovated, repaired or demolished for the purpose of removing the unsafe condition or take such other action as he considers necessary for the protection of the public and, where the building is in a municipality, the cost of the renovation, repair, demolition or other action may be added by the clerk to the collector's roll and collected in like manner as municipal taxes;

AND WHEREAS the chief official has made orders to comply in accordance with subsection 2 of section 9 of the said Act;

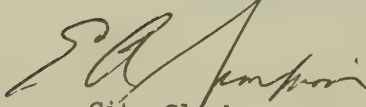
AND WHEREAS the chief official considers it necessary for the safety of the public to cause the building to be demolished for the purpose of removing the unsafe condition;

AND WHEREAS it is desirable to authorize the chief official to proceed to cause the building to be demolished.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The chief official, being the Building Commissioner, is hereby authorized to proceed to cause the building situate on the land more particularly described in schedule "A" hereto annexed, to be demolished.
2. The clerk is hereby authorized to proceed to add the cost of the demolition referred to in section 1 to the collector's roll and the cost so added shall be collected in like manner as municipal taxes.

PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor

SCHEDULE "A"

To By-law No. 79 - 223

Municipal Address: 74 Afton Avenue, Hamilton, Ontario

ALL and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the County of Wentworth, and being composed of parts of lots numbers forty-one (41) and forty-two (42) on Central Avenue more particularly described as follows: COMMENCING on the south side of Central Avenue at a post planted distant eighty-five feet (84') westerly from the corner of Prospect Street and Central Avenue; THENCE westerly and along Central Avenue twenty-two feet eight inches (22'8") to a post planted; THENCE southerly parallel with Prospect Street to the northerly margin of an alley in the rear of said lot forty-two (42); THENCE Easterly along the northerly margin of the said alley and being also the southerly limit of said lots forty-one (41) and forty-two (42) twenty-two feet eight inches (22'8") to a post planted; THENCE northerly parallel with Prospect Street to Central Avenue the place of beginning, according to Lewis Springer's Survey, Plan Number 252.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 224

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA BOUNDED BY GLEN MANOR STREET,
ST. ANDREWS DRIVE AND GREENHILL AVENUE

WHEREAS it is intended to change the zoning of the
land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the
Official Plan of the Hamilton Planning Area, approved by the
Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the
City of Hamilton enacts as follows:

1. Sheet No. E-88 of the District Maps, appended to and
forming part of By-law No. 6593, passed on the 25th day of
July, 1950, is amended,

- (a) by changing from "DE" (Low Density Multiple
Dwellings) district to "B-1" (Suburban
Agriculture and Residential, etc.) district,
the land comprised in Block 1; and
- (b) by changing from "DE" (Low Density Multiple
Dwellings) district to "C" (Urban Protected
Residential, etc.) district, the land com-
prised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are
shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to
proceed as soon as possible with the giving of notice of the
passing of this by-law, including a brief explanation of its
purpose, and with the carrying out of all other directions of
the Ontario Municipal Board relating to the giving of such
notice.

3. The City Solicitor is hereby authorized and directed
to make application to the Ontario Municipal Board for the
necessary approval of this by-law.

PASSED this

31st

day of

July

A.D. 1979.

[Signature]
City Clerk

[Signature]
Mayor

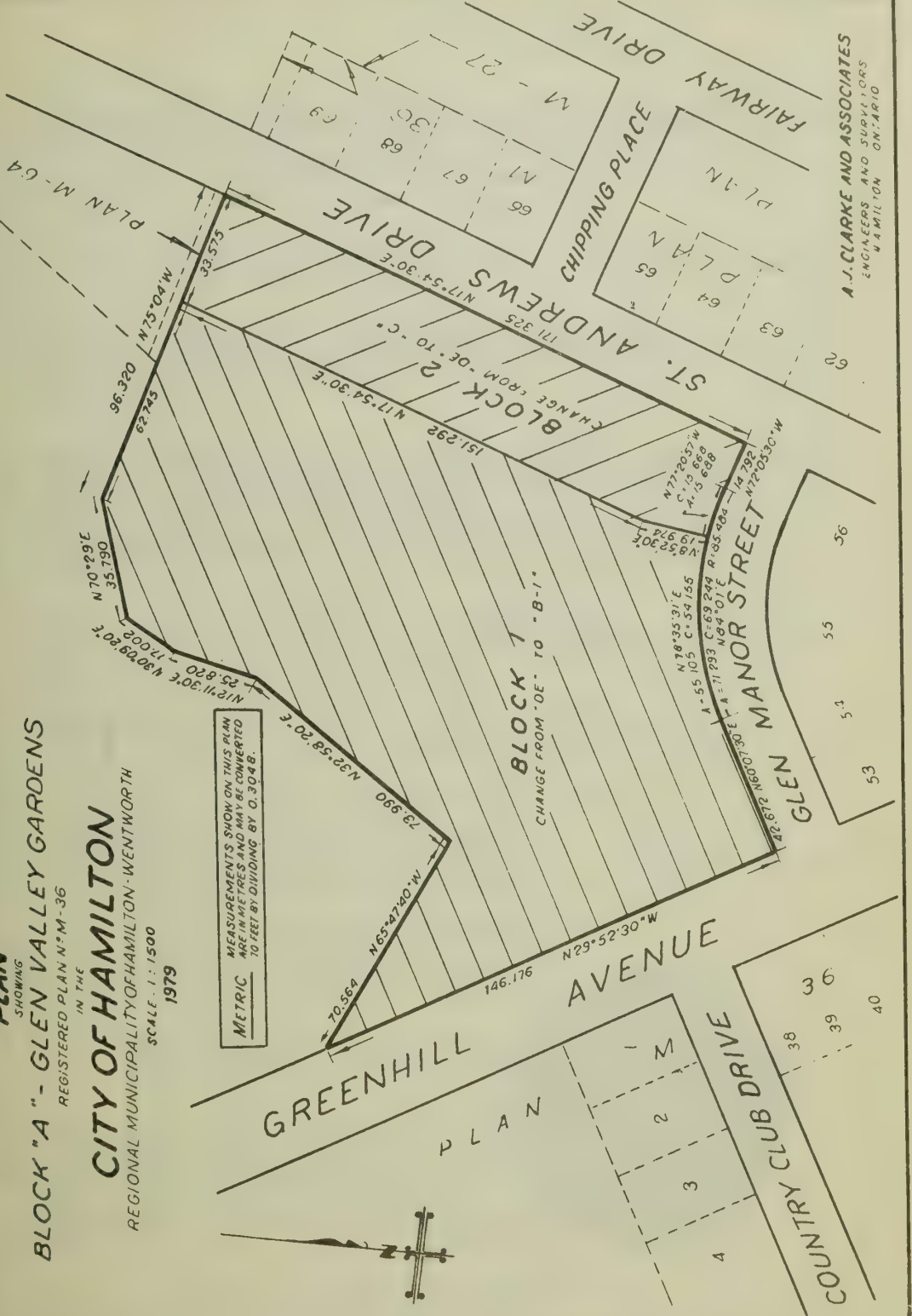
(1979) 25 R.P.D.C. 2, July 31
Frank Husack Limited, Owner
Z.A. 79-07

SCHEDULE "A" TO BY-LAW N° 79 - 224

PLAN
SHOWING
BLOCK "A" - GLEN VALLEY GARDENS
REGISTERED PLAN N° M-36
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
SCALE 1" = 1500
1979

MEASUREMENTS SHOWN ON THIS PLAN
ARE IN METRES AND MAY BE CONVERTED
TO FEET BY DIVIDING BY 0.3048.

METRIC



A.J. CLARKE AND ASSOCIATES
ENGINEERS AND SURVEYORS
44 MILLION ONTARIO

Bill No. 226

This is Schedule "A" to By-law No. 79-224 passed the 31st day of July A.D. 1979.

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 225

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE NORTH SIDE OF RYMAL ROAD EAST,
IN THE AREA WEST OF UPPER OTTAWA STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49D of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "RT-10" (Townhouse) district and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and
- (b) by changing from "RT-10" (Townhouse) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The "D" District provisions applicable to the land referred to in clause (b) of section 1 are amended to the extent only of the following variances as special requirements:

1. Section 10(1)(iii) of By-law No. 6593 shall not apply.
2. Notwithstanding section 10(3)(ii) of the said By-law, no side yard shall be required along one side of each lot, except that a side yard of a width of at least 4 feet shall be provided and maintained for that side of a lot flanking a street.
3. Notwithstanding section 10(4)(i) of the said By-law, a lot or tract of land for a single family dwelling shall have a width of at least 30 feet and an area of at least 3,000 square feet.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2.

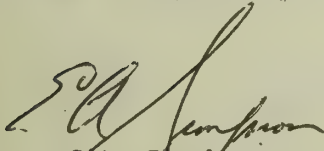
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-659".

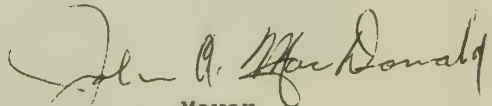
5. Sheet No. E-49D of the District Maps is amended by marking the land referred to in clause (b) of section 1 of this by-law, "S-659".

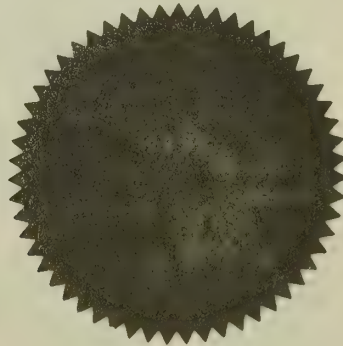
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor



(1979) 25 R.P.D.C. 3, July 31
Edgemount Developments Ltd., Owner
Z.A. 79-17

SCHEDULE "A" TO BY-LAW N° 79- 225

PLAN

SHOWING
PART OF LOT 5 - CONCESSION 8
FORMERLY IN THE TOWNSHIP OF BARTON
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
SCALE: 1" = 100'
1979

19.18' N 38° 13' W
A = 46.74' C = 46.68'
R = 266.0' N 43° 15' W

0 0 0
A = 330.00' C = 318.38' R = 366.58'

1979

UPPER OTTAWA STREET
ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 4 AND 5

SOUTHEAST CORNER
OF LOT 5, CON. 8
418.00' N 72° 19' W

ROAD ALLOWANCE BETWEEN FORMER TOWNSHIPS
OF BARTON AND GLANFORD

(FORMERLY THE KING'S HIGHWAY N° 53)

RYMAL ROAD EAST

CONCESSION 8

BLOCK 2

CHANGE FROM "D" & "RT-10" TO "D" MODIFIED

BLOCK 1

CHANGE FROM "D" & "RT-10" TO "C"



Bill No. 227

This is Schedule "A" to By-law No. 79- 225 passed the 31st day of July A.D. 1979.

City Clerk
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

Mayor
Mayor

A.J. CLARKE AND ASSOCIATES
ENGINEERS AND SURVEYORS
HAMILTON ONTARIO

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 226

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE SOUTH SIDE OF RYMAL ROAD WEST,
IN THE VICINITY OF GARTH STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-17E of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district to "DE" (Low Density Multiple Dwellings) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "DE" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variances as special requirements:

1. Notwithstanding section 10(A)(1) of By-law No. 6593, a management office and facilities for the repair and maintenance of the equipment, accessory to the use on the land shown on Schedule "A" shall be permitted in buildings not exceeding a total of 8,000 square feet of gross floor area.
2. Notwithstanding section 10(A)(1) of By-law No. 6593, a club house use and cafeteria use shall be permitted in a building of a gross floor area not exceeding 17,500 square feet.
3. Notwithstanding section 10(A)(1) and (2) of By-law No. 6593, a nursing home providing not more than 150 beds shall be permitted in a building not exceeding 6 storeys in height.

4. Notwithstanding section 10(A)(1) and (2) of By-law No. 6593, the commercial uses set out in section 13(1) of By-law No. 6593 shall be permitted in a building not exceeding 35,600 square feet of gross floor area and not exceeding 4 storeys in height.
5. No land shall be developed except in accordance with a registered plan of subdivision.
6. Notwithstanding section 10(A)(4) of By-law No. 6593, the density of residential development shall not exceed 350 dwelling units.
7. Notwithstanding section 10(A)(3) of By-law No. 6593, there shall be provided and maintained,
 - (a) a front yard of a depth of at least 40 feet; and
 - (b) a side yard along each side lot line of a width of at least 25 feet; and
 - (c) a rear yard of a depth of at least 25 feet.
8. There shall be provided and maintained between buildings,
 - (a) a distance of not less than 10 feet between two exterior walls containing no windows;
 - (b) a distance of not less than 20 feet between two exterior walls one of which contains at least one window to a habitable room;
 - (c) a distance of not less than 40 feet between two exterior walls each of which contains at least one window to a habitable room.
9. There shall be provided and maintained parking spaces as follows:
 - (a) for each dwelling unit, not less than 0.8 spaces; and
 - (b) for each 3 persons accommodated in a nursing home, not less than 1 space; and
 - (c) for each 200 square feet of office space for medical offices, professional offices and financial institutions, not less than 1 space; and

- (d) for each 1,000 square feet of floor space in excess of the first 3,000 square feet of any other commercial use, not less than 3 spaces.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 2¹.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-664".

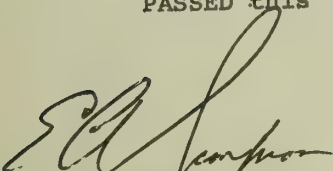
5. Sheet No. W-17E of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-664".

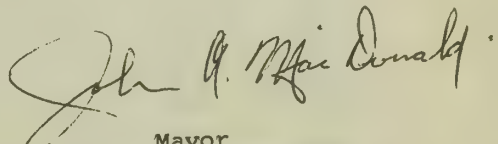
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

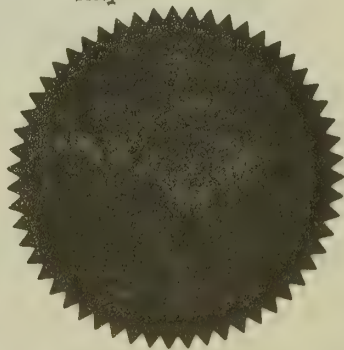
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 31st day of July

A.D. 1979.


City Clerk


Mayor



(1979) 26 R.P.D.C. 1, July 31
St. Elizabeth Nursing Home, Owner
Z.A. 77-61

SCHEDULE "A" TO BY-LAW - 79 - 226 ZONING PLAN

SHOWING

PART OF LOT 3 - CONCESSION 1

FORMERLY IN THE

TOWNSHIP OF GLANFORD

NOW IN THE

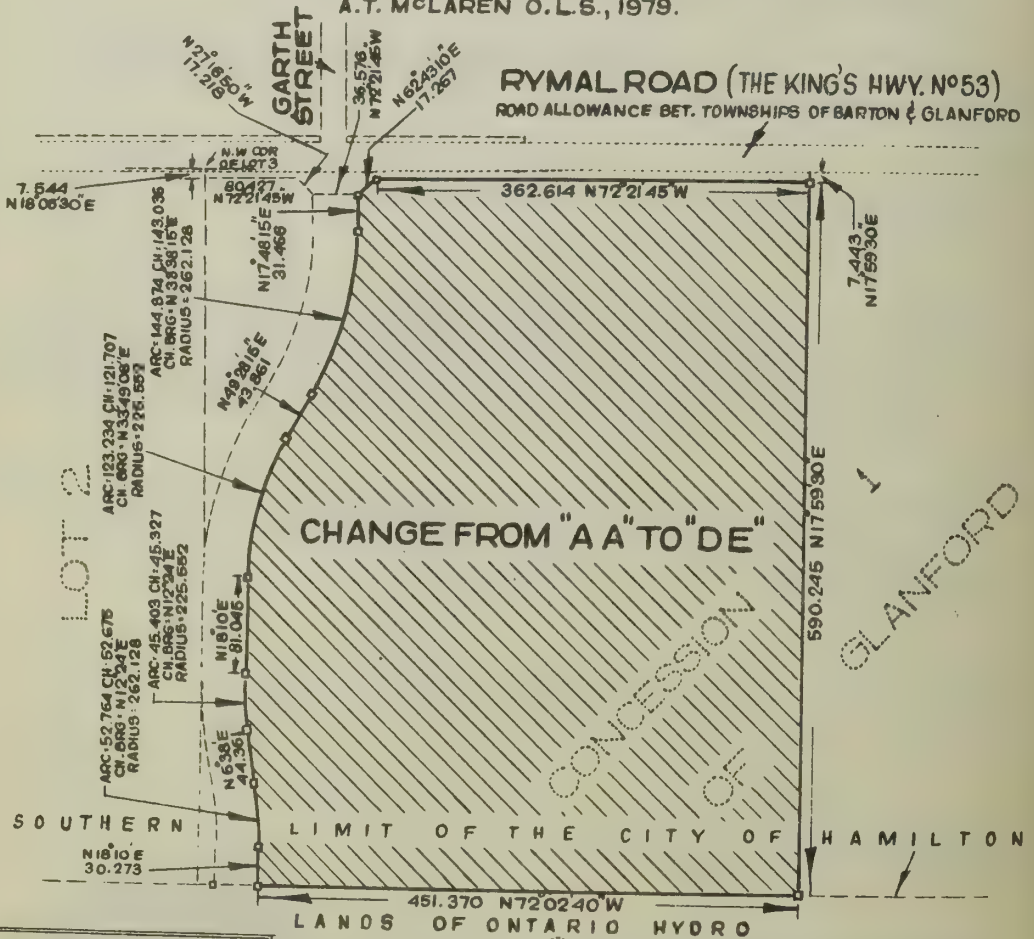
CITY OF HAMILTON

IN THE

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE: 1 CM = 50 M

A.T. McLAREN O.L.S., 1979.



METRIC

MEASUREMENTS SHOWN ON
THIS PLAN ARE IN METRES
AND MAY BE CONVERTED TO
FEET BY DIVIDING BY 0.3048.

A.T. McLaren Limited
ONTARIO LAND SURVEYORS
66 KING STR. EAST-HAMILTON-ONT.
527-8559 - 527-0032

A. T. McLAREN O.L.S.
JULY, 1979.

Bill No.228

This is Schedule "A" to By-law No. 79-226 passed the 31st day of July A.D. 1979.

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 79 - 227

TO AMEND:

BY-LAW NO. 79-204
TO CLOSE AND SELL THE ALLEY RUNNING WESTERLY FROM
TISDALE STREET, SOUTH OF 14 TISDALE STREET SOUTH

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 to stop-up and sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton is empowered under section 461(1) of the said The Municipal Act to fix the price at which a stopped-up highway is to be sold.

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 12 of the 20th Report of the Board of Control on April 10, 1979 had fixed the price of \$1,865.30 at which the aforesaid Part 2 was to be sold.

AND WHEREAS City Council on June 26, 1979 passed By-law 79-204 to close and sell the alley running westerly from Tisdale Street, south of 14 Tisdale Street South described in Schedule "A" attached hereto.

AND WHEREAS sub-section (ii) of section 2 of the said By-law 79-204 authorized the sale of a portion of the alley designated Part 2 on Reference Plan 62R-4439 to William U. Reid and Lillethe E. Reid for \$865.30.

AND WHEREAS it is desirable to amend the said By-law 79-204.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sub-section (ii) of Section 2 of By-law 79-204 is amended by striking out "\$865.30" in the third line and inserting in lieu thereof "\$1,865.30".

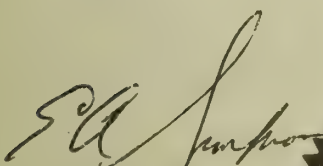
PASSED this

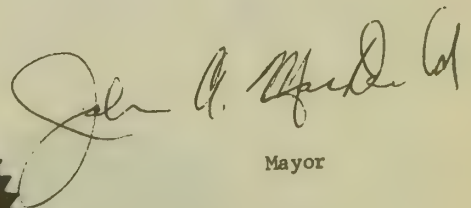
31st

day of

July

A.D. 1979.


City Clerk


Mayor

SCHEDULE "A"

DESCRIPTION FOR BY-LAW TO CLOSE ALLEY
RUNNING WESTERLY FROM TISDALE STREET SOUTH OF
14 TISDALE STREET SOUTH

All and Singular those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario, and being composed of an 11 foot alleyway opened by Judge's Order 72437 Hamilton and City of Hamilton By-law No. 864 dated June 28, 1909, and registered in the Land Registry Office for the Registry Division of Wentworth as By-law 221, said alleyway formerly part of Lot 5 according to James G. Davis Survey registered in the said Land Registry Office as Plan No. 224, and which said parcels may be more particularly described as all of Parts 1, 2 and 3 according to a Reference Plan received and deposited in the said Land Registry Office on October 3, 1978, as Plan 62R-4439.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 228

To Amend:

By-law No. 79-144

Respecting:

EXPOSURE OF TITLES OF EROTIC MAGAZINES WHILE ON DISPLAY FOR SALE

WHEREAS By-law No. 79-144, passed on the 8th day of May, 1979, in accordance with section 368b of The Municipal Act, R.S.O. 1970, chapter 284 provided for the licensing, regulating, governing, classifying and inspecting of adult entertainment parlours;

AND WHEREAS it is desirable to clarify the intent of the regulations by providing that only the title of an erotic magazine shall be exposed to viewing only while the magazine is on display.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraph 3 of subsection 2 of section 2 of schedule 1.01 of By-law No. 79-144 is amended by striking out "initial" in the second line and adding at the end thereof "while the erotic goods are on display", so that the paragraph shall read as follows:

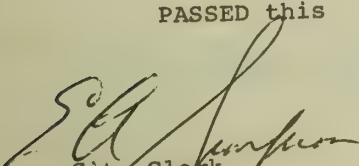
3. Permit only the title of the erotic goods to be exposed to viewing while the erotic goods are on display.

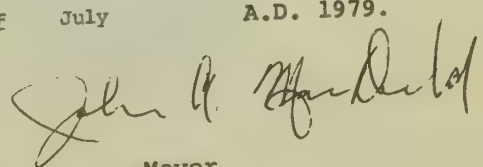
2. Clause (b) of subsection 5 of section 27 of schedule 1.01 of the said By-law is amended by striking out "section 43" in the last line and inserting in lieu thereof "sections 28 and 29".

3. Clause (a) of paragraph 18 of section 38 of schedule 1.01 of the said By-law is amended by striking out the word "pass" in the first line and inserting in lieu thereof "past".

PASSED this 31st day of July

A.D. 1979.


City Clerk


Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 229

To Amend:

Licensing By-law No. 73-342

Respecting:

TAXI-CAB OWNERSHIP

WHEREAS By-law No. 73-342, passed on the 18th day of December, 1973 and in force on the 1st day of January, 1974, provides for the licensing of trades, callings, businesses or occupations;

AND WHEREAS schedule 4 of the said by-law relates to taxi-cabs and drivers of taxi-cabs;

AND WHEREAS it is desirable to establish clearly the responsibility of a licensed owner to ensure that unlicensed drivers do not drive the owner's cab and to ensure that a licence continues to be properly issued to the licensed owner who has the most interest in and responsibility for his taximeter equipped cab.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause (d) of subsection 3 of section 10 of schedule 4 of By-law No. 73-342 is amended by inserting after the word "employ" in the first line "or permit to be employed or acquiesce in the employment of or use", so that the clause shall read as follows:

- (d) shall not employ or permit to be employed or acquiesce in the employment of or use any driver except a licensed driver and shall within forty-eight hours of the commencement or termination of such employment, give written notice thereof to the City by delivering the same to the issuer of licences; and

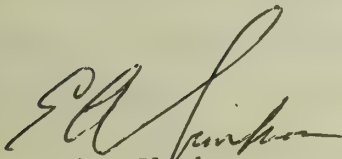
2. Section 3 of schedule 4 of the said by-law is amended by adding thereto the following subsections:

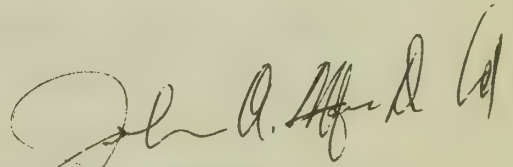
(1a) No person being the owner of a cab equipped with a taximeter and to whom a licence has been issued shall, without the approval of the licensing committee, carry on or permit to be carried on the business of conveying passengers for hire or permit any person to drive the cab for hire, where the monetary interest of the person to whom a licence has been issued is less than 50% of the fair market value of the cab;

(1b) For the purpose of subsection 1a, "fair market value" is an amount that a licensed cab equipped with a taximeter might be expected to realize if sold in the open market by a willing seller to a willing buyer, but not more than an amount determined by the licensing committee.

3. Subsection 4 of section 10 of schedule 4 of the said by-law is repealed.

PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor



(1979) 8 R.L.F.C. 15, July 31

The Corporation of the City of Hamilton

BY-LAW NO. 79- 230

To Adopt:

Official Plan Amendment No. 346

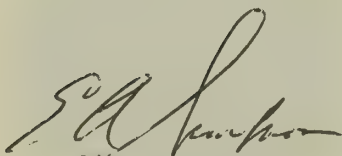
Respecting:

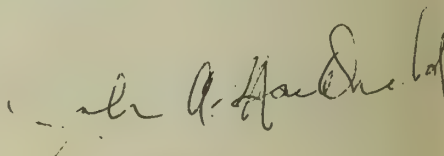
LANDS ON BOTH SIDES OF ANCHOR ROAD,
SOUTH OF STONE CHURCH ROAD EAST

The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 346 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor



AMENDMENT NO. 346 to the Official Plan for the Hamilton Planning Area.

The following text, together with the map attached as Schedule "A" hereto, constitute Amendment No. 346.

PURPOSE:

To change the land use designation established in a prescribed area.

LOCATION:

Lands on both sides of Anchor Road, south of Stone Church Road East.

BASIS:

It is proposed that the East Mountain Industrial Area be extended to include lands on both sides of Anchor Road, south of Stone Church Road East and that the present "Recreation, Civic and Cultural" designation of these lands be changed accordingly.

ACTUAL CHANGE:

That the designation of the lands outlined in red on Schedule "A" be changed from "Recreation, Civic and Cultural" to "Restricted Manufacturing".

IMPLEMENTATION:

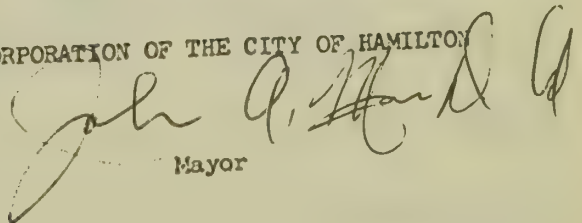
A Restricted Area By-law will give effect to the intended industrial use of the subject lands.

Bill No. 232

This is Schedule 1 to By-law No. 19-230 passed the 31st day of July A.D. 1979.


City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

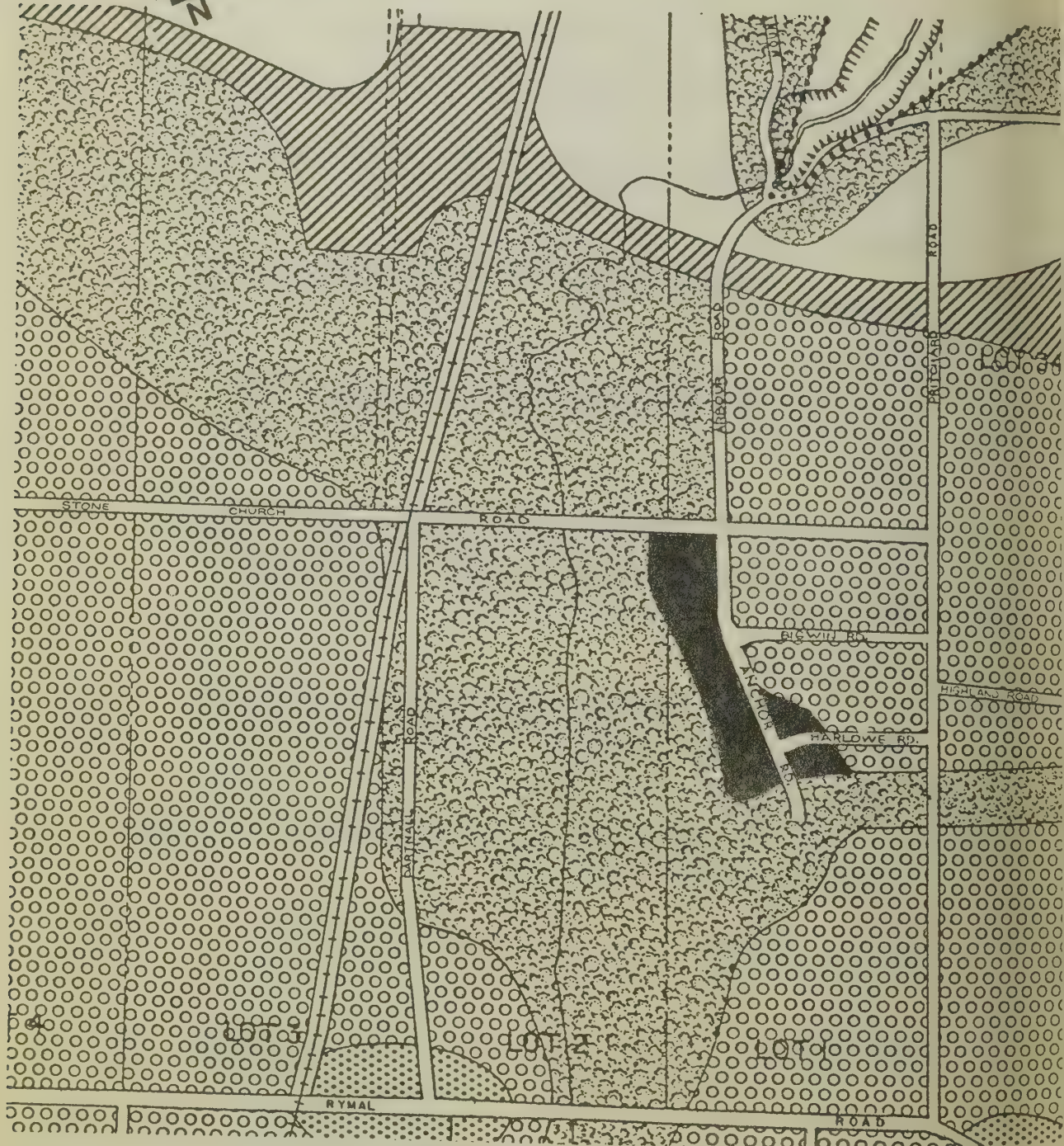

Mayor

07/31/79

-624-

Change from "Recreation, Civic and Cultural" to "Restricted Manufacturing".

Scale : 1" = 800'



LEGEND



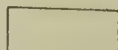
Transportation



Recreation, Civic and Cultural



Restricted Manufacturing



Residential



Business

Schedule "A" to Amendment No. 34
to the Official Plan
of the Hamilton Planning Area.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 231

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 181 JAMES STREET NORTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. Notwithstanding section 14(1) of By-law No. 6593, as amended by By-law No. 78-184, passed on the 28th day of June, 1978, a banquet hall shall be a permitted use.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirement referred to in section 1.

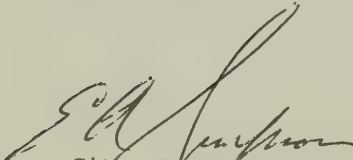
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-663".

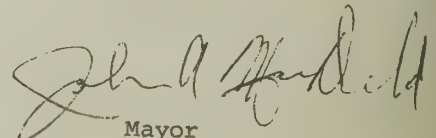
4. Sheets Nos. W-3 and W-4 of the District Maps are amended by marking the land referred to in section 1 of this by-law, "S-663".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

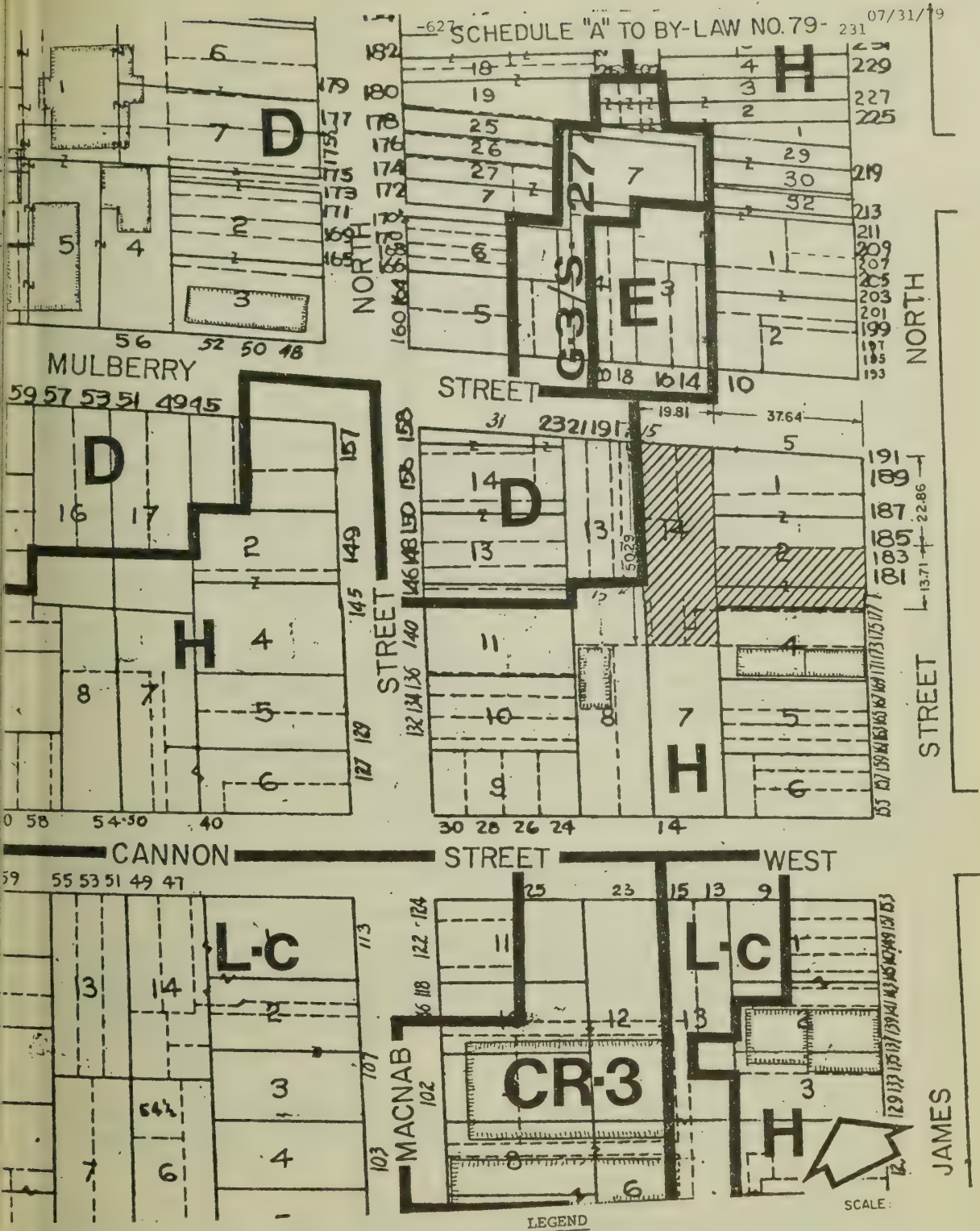
PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor



(1979) 26 R.P.D.C. 3, July 31
Z.A. 79-40



Bill No. 233

This is Schedule "A" to By-law No. 79-231 passed the 31st day of July A.D. 1979

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 232

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 16 and 18 MARGARET STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-12 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

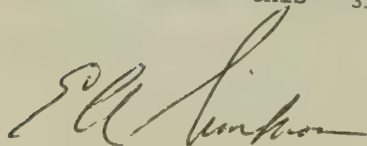
- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "G-3" (Public Parking Lots) district, the land,

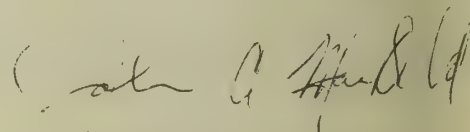
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

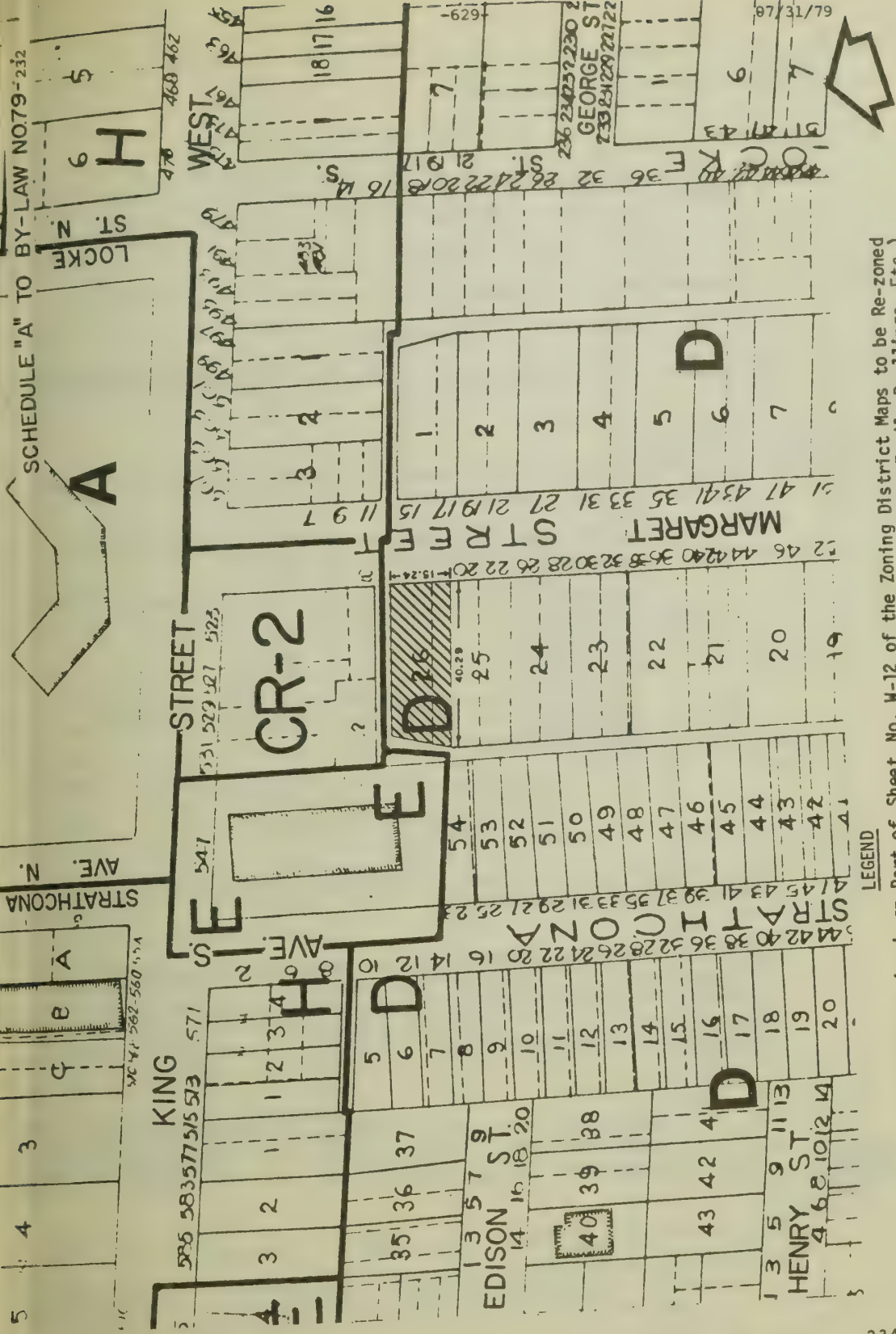
PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor

(1979) 26 R.P.D.C. 2, July 31
Deem Management, Owner
Z.A. 79-37





LEGEND

Lands on Part of Sheet No. W-12 of the Zoning District Maps to be Re-zoned from "D" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to "G-3" (Public Parking Lots) District.



Bill No. 234

This is Schedule "A" to By-law No. 79-232 passed the 31st day of July A.D. 1979.

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON
[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 233

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 1020 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9A of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

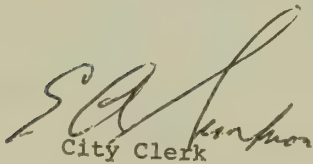
- (a) by changing from "C" (Urban Protected Residential, etc.) district to "G-3" (Public Parking Lots) district, the land,

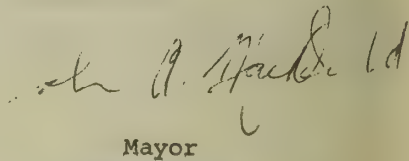
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

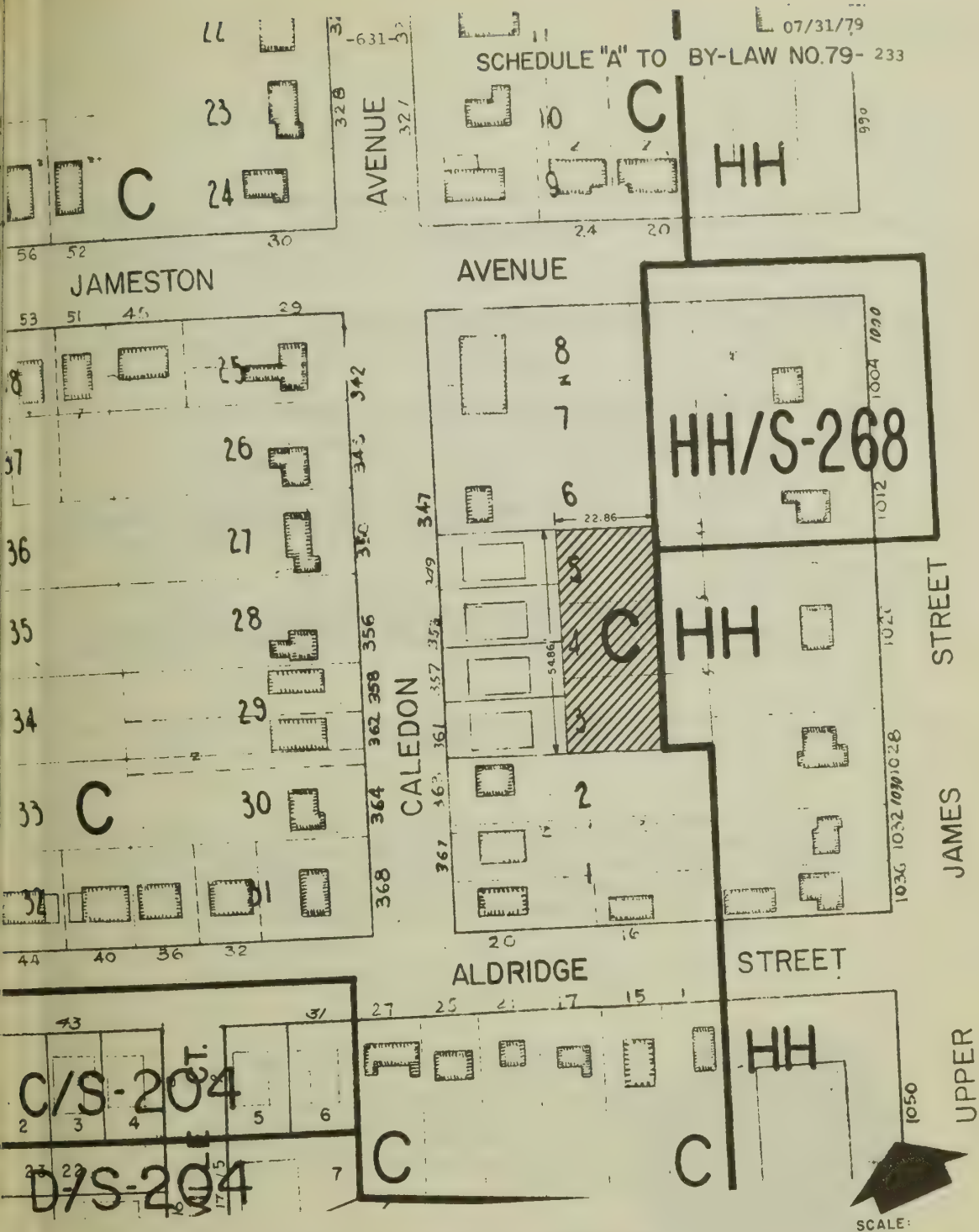
PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor

(1979) 26 R.P.D.C. 5, July 31
Co-operators Insurance Association,
prospective owner
Z.A. 79-36





LEGEND

Lands on Part of Sheet No. W-9A of The Zoning District Maps to be re-zoned from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District.

Bill No. 235

This is Schedule "A" to By-law No. 19- 233 passed the 31st day of July A.D. 1979.

THE CORPORATION OF THE CITY OF HAMILTON
 Mayor

City Clerk

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 234

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON GEMINI DRIVE AND GAFNEY DRIVE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variances as special requirements:
 1. Section 10(1)(iii) of By-law No. 6593 shall not apply.
 2. Notwithstanding section 10(3)(ii) of the said By-law, no side yard shall be required along one side of each lot, except that a side yard of a width of at least 4 feet shall be provided and maintained for that side of a lot flanking a street.
 3. Notwithstanding section 10(4)(i) of the said By-law, a lot or tract of land for a single family dwelling shall have a width of at least 30 feet and an area of at least 3,000 square feet.
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1.

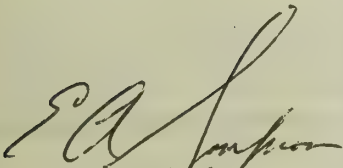
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-662".

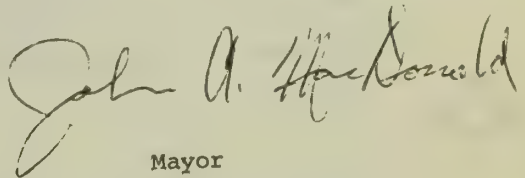
4. Sheet No. W-27C of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-662".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

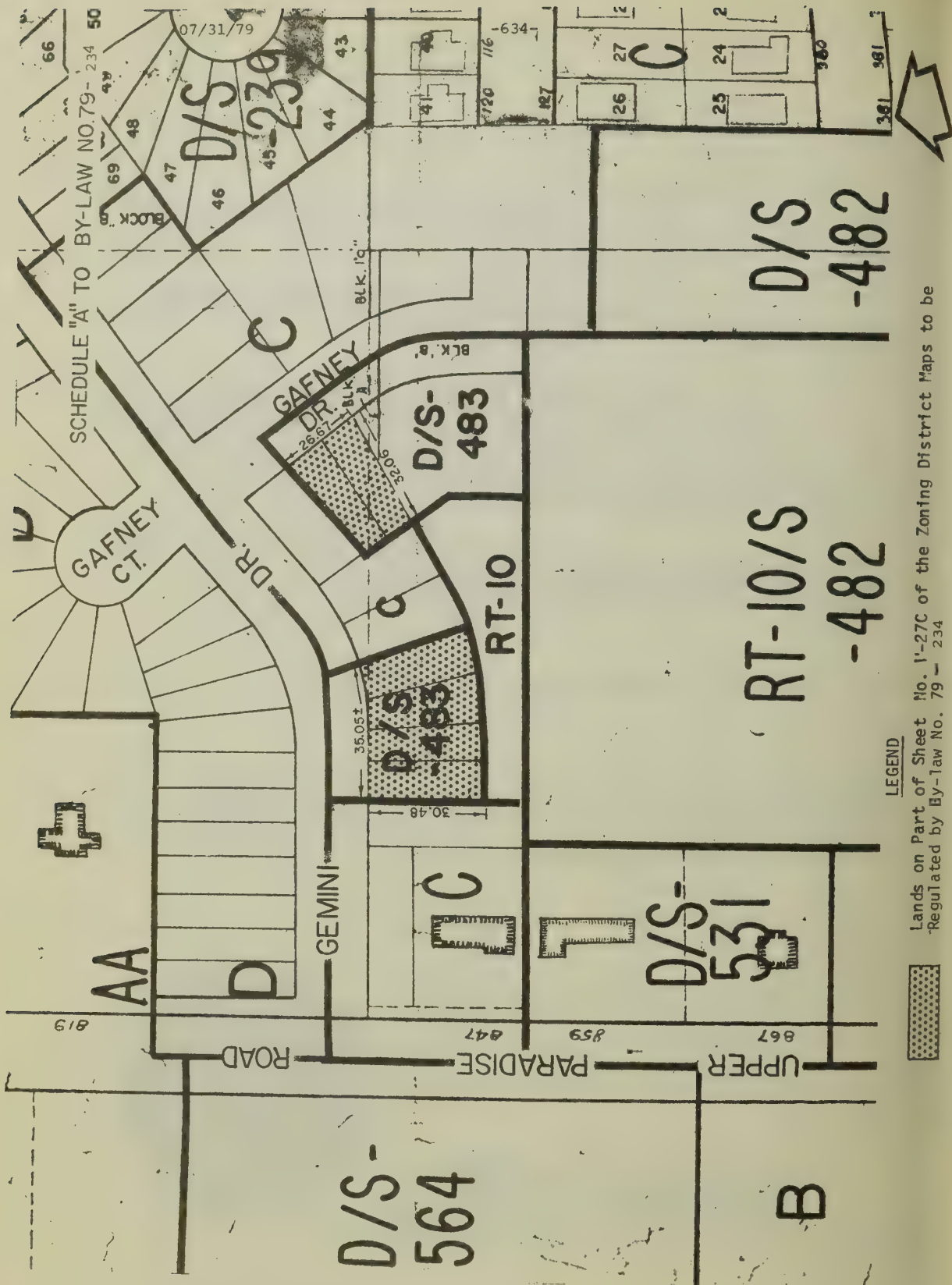
PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor

(1979) 26 R.P.D.C. 4, July 31
Pars Development Corporation
Limited, Owner
Z.A. 79-38





Bill No. 236

This is Schedule "A" to By-law No. 79-234 passed the 31st day of July A.D. 1979.

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 235

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 75 HUNTER STREET WEST
(CENTRAL PUBLIC SCHOOL)

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-3" (High Density Multiple Dwellings) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variances as special requirements:

1. Notwithstanding section 11C(1) of By-law No. 6593, the area of the second floor of the school building, as such area exists on the date of the passing of this by-law, may be converted for business and professional office use.
2. Accessory to the use of the second floor area permitted under paragraph 1, one ground sign shall be permitted that,
 - (a) does not exceed 4 square feet in area;
 - (b) is illuminated only if the illumination is non-flashing, indirect or interior;
 - (c) is located at least 5 feet from the nearest street line.
3. Notwithstanding section 18(3)(iv)(d) and (e) of the said By-law, there shall be provided and maintained on the land and accessory to the school building,
 - (a) not less than 3 parking spaces for each 1,000 square feet of floor space in excess of 3,000 square feet of floor space used for business or professional office use; and

- (b) not less than 1.25 parking spaces for each class room.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-3" District provisions, subject to the special requirements referred to in section 1.

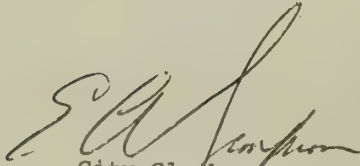
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-661".

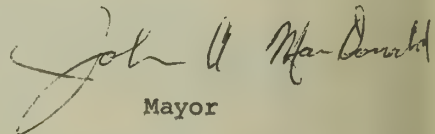
4. Sheet No. W-5 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-661".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 31st day of July A.D. 1979.


City Clerk


Mayor



(1979) 25 R.P.D.C. 5, July 31
(1979) 26 R.P.D.C. 6, July 31
Board of Education for the
City of Hamilton, Owner
Z.A. 79-24

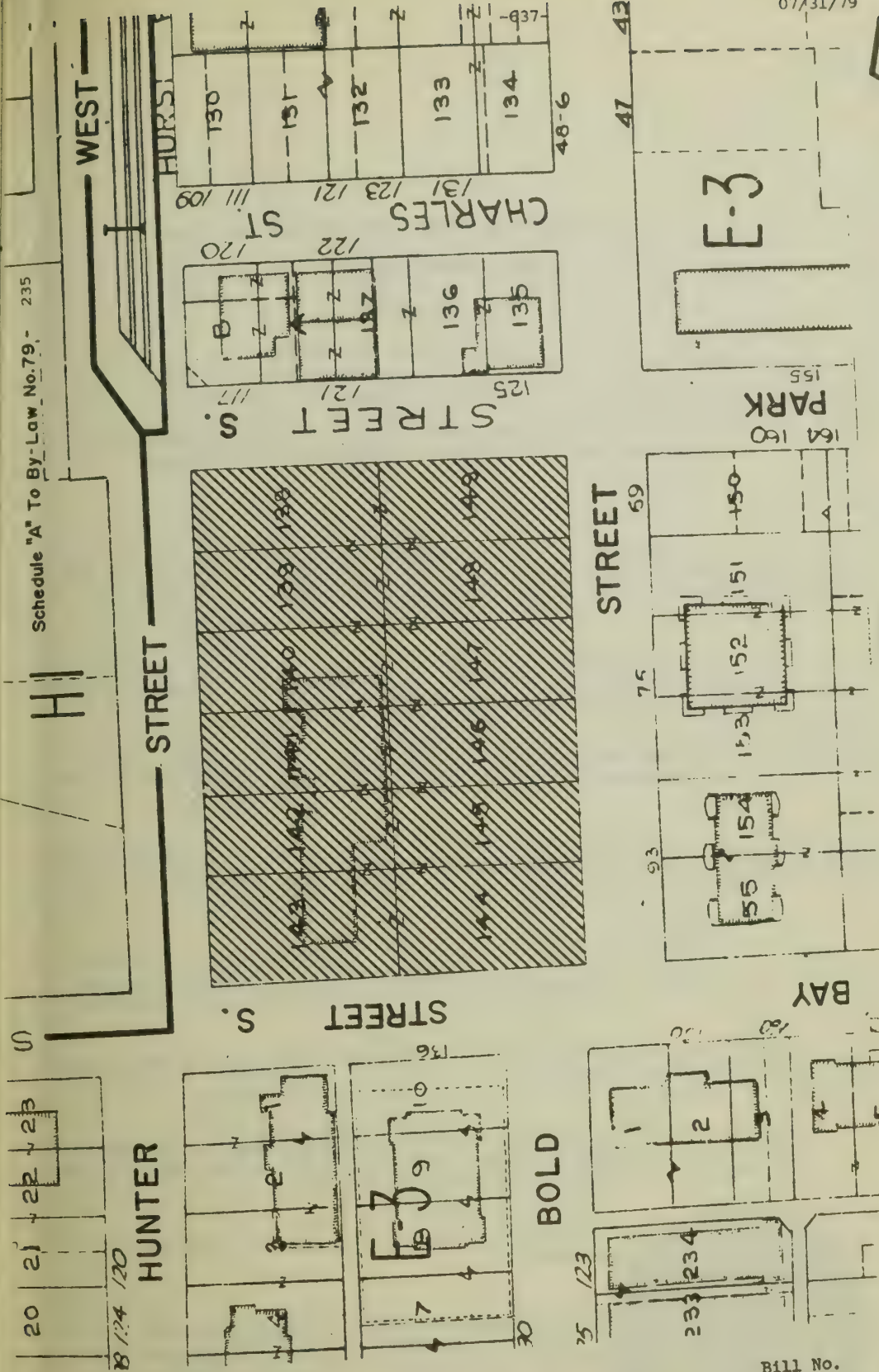
This is Schedule "A" to By-law No. 19-235 passed the 31st day of July A.D. 1979

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
City Clerk

[Signature]
Mayor

Bill No. 237



Lands on Part of Sheet No. W5 of The Zoning District Maps to be regulated by By-law No. 79- 235



Scale: 1:1000

07/31/79

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 236

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE SOUTH SIDE OF LIMERIDGE ROAD EAST,
IN THE AREA WEST OF UPPER WENTWORTH STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18B of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land,

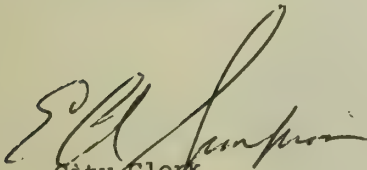
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

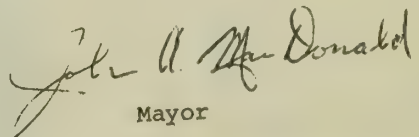
2. The "D" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variances as special requirements:

1. Section 10(1)(iii) of By-law No. 6593 shall not apply.
2. Notwithstanding section 10(3)(ii) of the said By-law, no side yard shall be required along one side of each lot, except that a side yard of a width of at least 4 feet shall be provided and maintained for that side of a lot flanking a street.

3. Notwithstanding section 10(4)(i) of the said By-law, a lot or tract of land for a single family dwelling shall have a width of at least 30 feet and an area of at least 3,000 square feet.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-660".
5. Sheet No. E-18B of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-660".
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 31st day of July A.D. 1979.

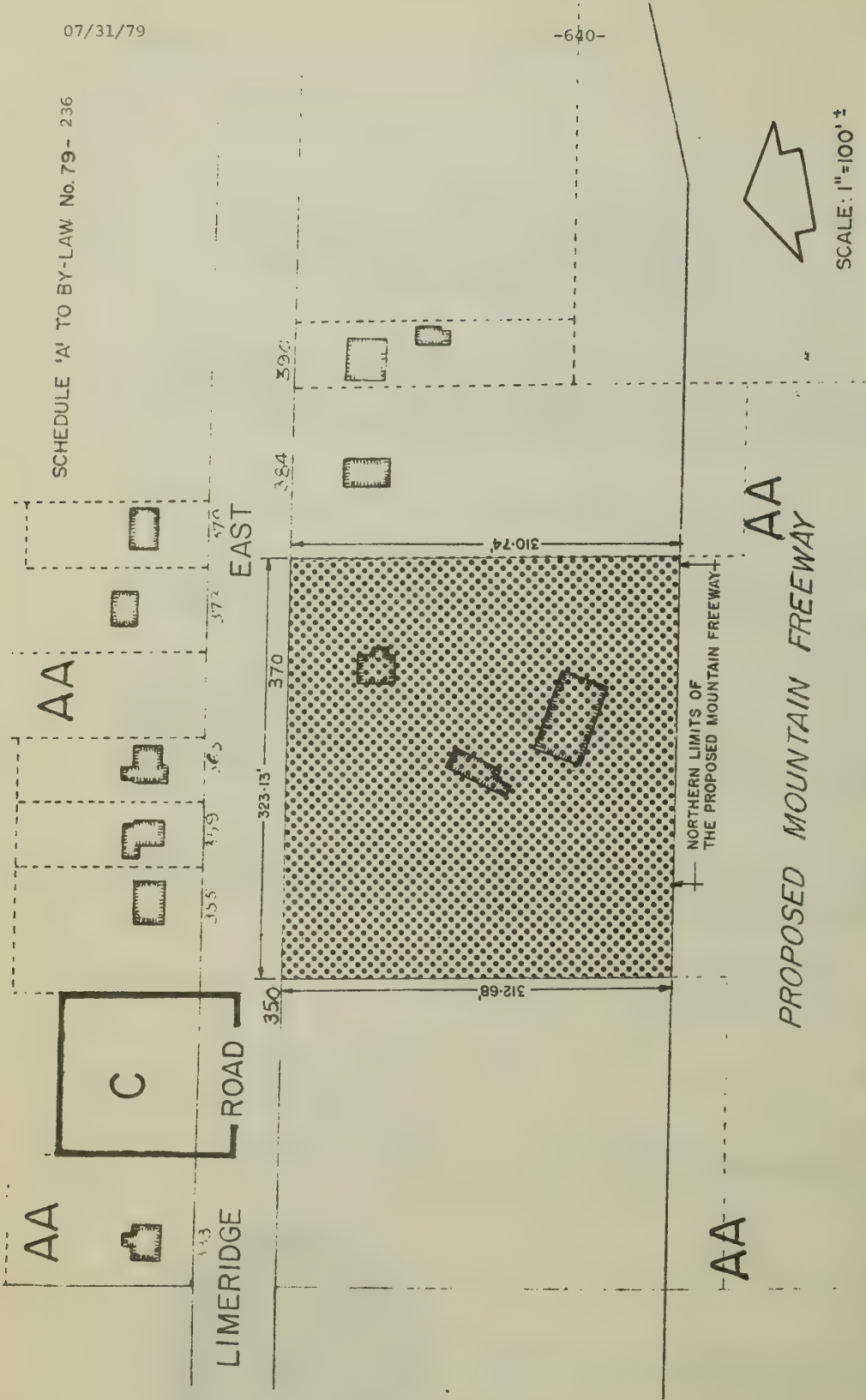

City Clerk


Mayor

(1979) 25 R.P.D.C. 4, July 31
Adisco Limited, Owner
Z.A. 79-29



SCHEDULE 'A' TO BY-LAW No. 79- 236



SCALE: 1"=100'

LEGEND

Lands on Part of Sheet No. E-188 of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.

Bill No. 238

This is Schedule "A" to By-law No. 79- 236 passed the 31st day of July A.D. 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

BY-LAW NO. 79 - 237

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 25 (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended by adding to Section 7 (Three Hour Limit) the following items, namely:-

"Bristol	South	Wentworth to Sanford
Bristol	Both	Sanford to Minto".

2. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following items, namely:-

"Beckley	South	John to 100 ft. west
Balmoral	East	Dunsmure to 93 ft. north",

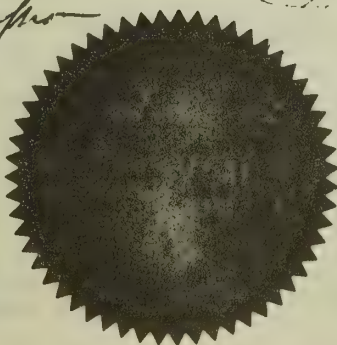
and by adding thereto the following items, namely:-

"Balmoral	East	Dunsmure to 107 ft. north
Strathearne	East	From 21 ft. north of the
		northerly spur line to 150 ft.
		northerly".

PASSED this 31st day of July , A.D. 1979.

[Signature]
CITY CLERK

[Signature]
MAYOR



BY-LAW NO. 79 - 238

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Sub-section 1 of Section 1 of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby amended by adding to clause (d) "commercial vehicle includes" the following items, namely:-

- "(iii) taxi cab which is actively engaged in the pick-up or delivery of parcels, or the discharge of passengers; and,
- (iv) a vehicle bearing a current City of Hamilton Cartage license plate; and,
- (v) an automobile, truck or van which has permanently attached to both front doors a permanent sign, no smaller than 150 square inches in size, identifying the company for which the vehicle is used, and provided that the vehicle is actively engaged in loading and unloading merchandise at the business address of that company."

2. Section 5 (Traffic Control Devices) is hereby amended by adding the following sub-section, namely:-

"(8) Notwithstanding sub-section 1 of Section 5, the Traffic Commissioner is authorized to temporarily remove traffic signs and other traffic control devices to accommodate traffic demands during construction or reconstruction of public highways, or public utilities or services located therein."

3. Section 8 (Heavy Traffic) is hereby amended by deleting from sub-section (1) the following words, namely:-

"except however buses".

4. Schedule 10 (Stops at Intersections) is hereby amended by adding theret the following items, namely:-

"Bryne	Westbound	Huntsville
Baxter	Westbound and Eastbound	Stroud
Haddon	Westbound	Stroud".

4. Schedule 29 (No Stopping Areas) is hereby amended by deleting from Section A (No Stopping Anytime) the following item, namely:-

"Hunter	South	Walnut to 190 ft. east",
---------	-------	--------------------------

and by adding thereto the following items, namely:-

"Hunter	South	Walnut to 150 ft. east
Beckley	South	John to 39 ft. west
Huxley	East	King to 60 ft. north
Talbot	West	Barton to 111 ft. south".

PASSED this 31st day of July, A.D. 1979.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 239

To Amend:

Parking on Private and Municipal Property By-law No. 75-155

Respecting:

VOLUNTARY PAYMENT OF PENALTIES OUT OF COURT

WHEREAS By-law No. 75-155, passed on the 27th day of May, 1975, as amended by By-law No. 76-237, passed on the 31st day of August, 1976, By-law No. 77-226, passed on the 30th day of August, 1977 and By-law No. 77-282, passed on the 8th day of November, 1977, in accordance with paragraph 112 of subsection 1 of section 354 of The Municipal Act, R.S.O. 1970, Chapter 284, provided for the prohibiting of parking of motor vehicles on private property and municipal property and for their removal and impounding at the expense of the owner;

AND WHEREAS it is desirable to amend By-law No. 75-155 to provide for voluntary payment out of court for a "No Parking" violation from \$5.00 to \$10.00, so that the amount is the same as for tags issued under Traffic By-law No. 66-100.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 11 of By-law No. 75-155, as amended by section 12 of By-law No. 77-226, is amended by striking out the amount of "\$5.00" in the fourth line and inserting in lieu thereof "\$10.00".
2. This By-law comes into force on August 1, 1979.

PASSED this 31st day of July

A.D. 1979.

SA Simpson
City Clerk

John A. MacDonald
Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 240

To Amend:

Fire Routes By-law No. 75-168

Respecting:

VOLUNTARY PAYMENT OF PENALTIES OUT OF COURT

WHEREAS By-law No. 75-168, passed on the 10th day of June, 1975, as amended by By-law No. 75-299, passed on the 10th day of November, 1975, By-law No. 76-143, passed on the 11th day of May, 1976, By-law No. 76-285, passed on the 12th day of October, 1976 and By-law No. 76-295, passed on the 9th day of November, 1976 established regulations for the preventing of fires and the spread of fires by designating fire routes;

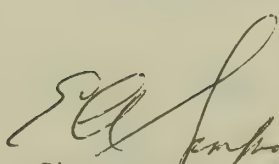
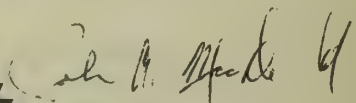
AND WHEREAS it is desirable to amend By-law No. 75-168 to provide for voluntary payment out of court for a "No Parking" violation from \$5.00 to \$10.00 and for a "No Stopping" violation from \$10.00 to \$20.00, so that the amounts are the same as for tags issued under Traffic By-law No. 66-100.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause (a) of section 17 of By-law No. 75-168 is amended by striking out at the end thereof, "\$5.00" and inserting in lieu thereof, "\$10.00".
2. Clause (b) of section 17 of the said By-law is amended by striking out at the end thereof, "\$10.00" and inserting in lieu thereof, "\$20.00".
3. This By-law comes into force on August 1, 1979.

PASSED this 31st day of July

A.D. 1979.


City Clerk
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 241

To Amend:

Civic Airport By-law No. 77-181

Respecting:

VOLUNTARY PAYMENT OF PENALTIES OUT OF COURT

WHEREAS By-law No. 77-181, passed on the 28th day of June, 1977, established rules and regulations governing Hamilton Civic Airport including stopping and parking of vehicles;

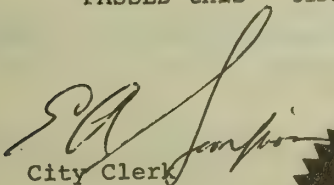
AND WHEREAS it is desirable to amend By-law No. 77-181 to provide for voluntary payment out of court for a parking violation in an area (loading) longer than permitted from \$2.00 to \$3.00, for a "No Parking" violation from \$5.00 to \$10.00 and for a "No Stopping" violation from \$10.00 to \$20.00 so that the amounts are the same as for tags issued under Traffic By-law No. 66-100.

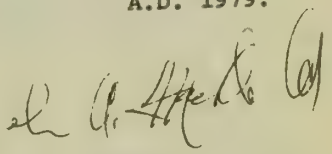
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

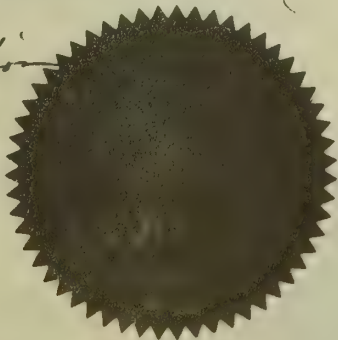
1. Clause (a) of subsection 2 of section 23 of By-law No. 77-181 is amended by striking out at the end thereof, "\$2.00" and inserting in lieu thereof, "\$3.00".
2. Clause (b) of subsection 2 of section 23 of the said By-law is amended by striking out at the end thereof, "\$5.00" and inserting in lieu thereof, "\$10.00".
3. Clause (c) of subsection 2 of section 23 of the said By-law is amended by striking out at the end thereof, "\$10.00" and inserting in lieu thereof, "\$20.00".
4. This By-law comes into force on August 1, 1979.

PASSED this 31st day of July

A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 242

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA NORTH OF BARTON STREET EAST
BETWEEN WELLINGTON STREET NORTH AND BIRCH AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-11, E-12 and E-20 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, are amended,
 - (a) by changing from "K" (Heavy Industry, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in AREAS "1" and "2" shown on schedules "A" and "A3", hereto annexed; and
 - (b) by changing from "K" (Heavy Industry, etc.) district to "H" (Community Shopping and Commercial, etc.) district, the land comprised in AREA "3" shown on schedules "A1" and "A4", hereto annexed; and
 - (c) by changing from "K" (Heavy Industry, etc.) district to "J" (Light and Limited Heavy Industry, etc.) district, the land comprised in AREA "4" shown on schedules "A1", "A2" and "A4", hereto annexed.
2. The "D" and "J" District provisions applicable to the lands referred to in clauses (a) and (c) respectively of section 1, are amended to the extent only of the following variances as special requirements:
 1. As to the "D" District provisions applicable to the land comprised in AREA "2" shown on schedules "A" and "A3",
 - (a) the main face of the dwellings fronting on to the street shall contain not more than 5% of window area;
 - (b) the construction of the dwelling units shall be either brick veneer or double studs with double insulation;

- (c) every dwelling shall contain central air conditioning, furnace cooling fan or inlet and damper;
- (d) where two dwellings are constructed in a single building, the dwellings shall form semi-detached units;
- (e) where three or more dwellings are constructed in a single building, the dwellings shall form townhouse units;

2. Notwithstanding clauses (a), (b), (c), (d) and (e) of paragraph 1, alteration, extension or enlargement of a building, erected as at the day of the passing of this by-law, shall be permitted in accordance with the "D" District provisions of By-law No. 6593.

3. As to the "J" District provisions applicable to the land comprised in AREA "4" shown on schedules "A1", "A2" and "A4", notwithstanding the said provisions, alteration, extension or enlargement of a building, erected as at the day of the passing of this by-law, shall be permitted in accordance with the "D" District provisions of By-law No. 6593.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with,

- (a) the "D" District provisions, as amended by the special requirements referred to in paragraphs 1 and 2 of section 2;
- (b) the "J" District provisions, as amended by the special requirement referred to in paragraph 3 of section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-647".

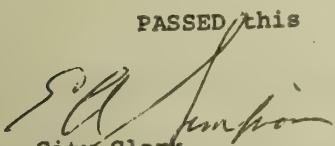
5. Sheets Nos. E-11, E-12 and E-20 of the District Maps are amended by marking the lands referred to in section 2 of this by-law, "S-647".

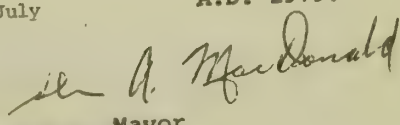
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

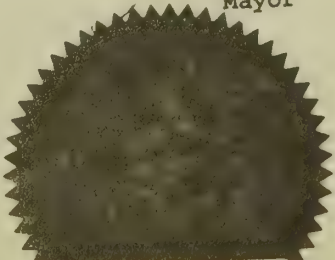
PASSED this 31st day of July

A.D. 1979.

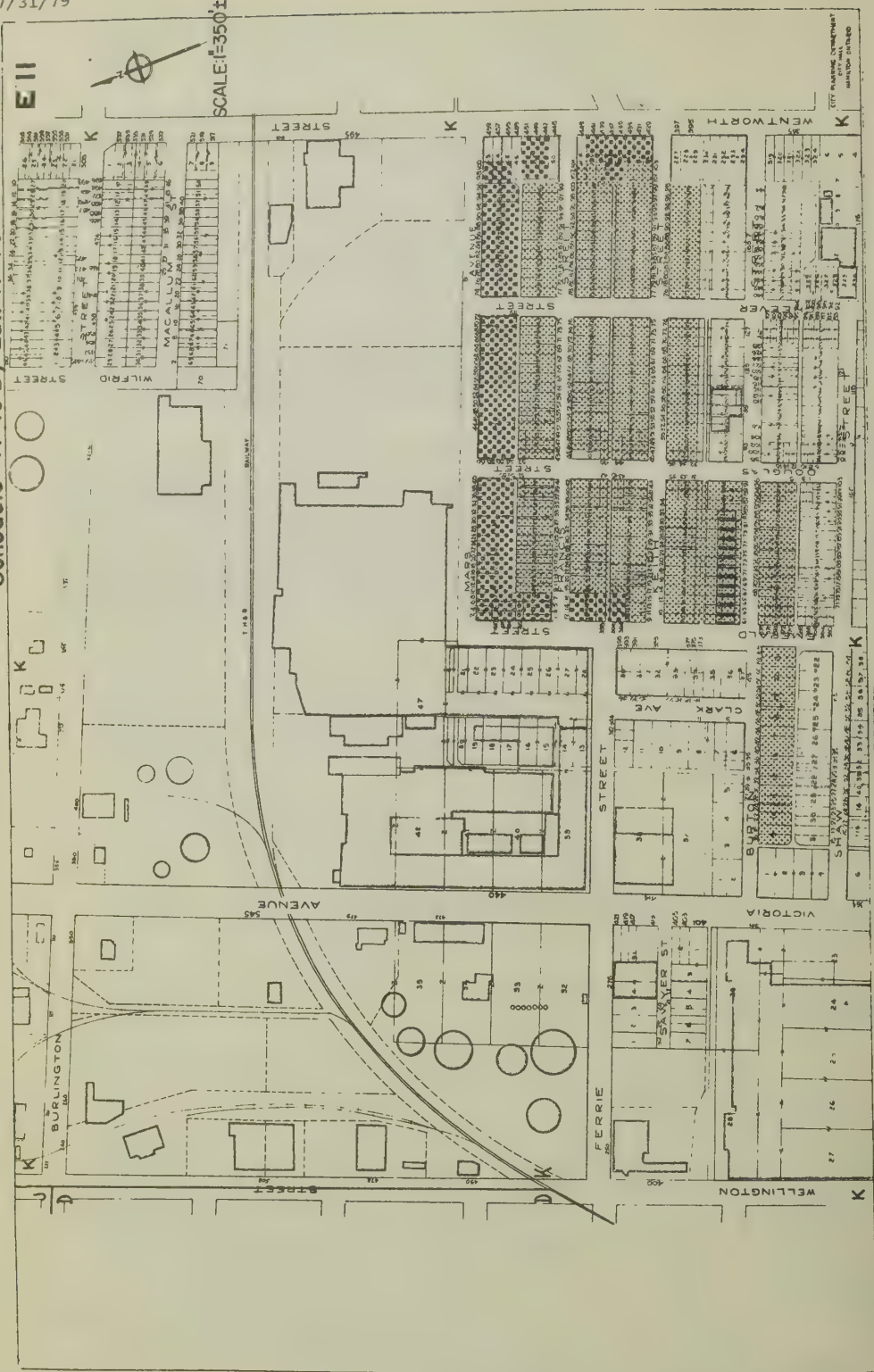

City Clerk


Mayor

(1979) 16 R.P.D.C. 6, April 24
(1979) 21 R.P.D.C. 7, June 26
C.I. 78-T



Schedule "A" To By-Law No 79- 242



Lands on Sheet No.E-11 of The Zoning District Maps to be re-zoned from "K" (Heavy Industry, etc.) District to:

- "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.
- "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District - (Modified)

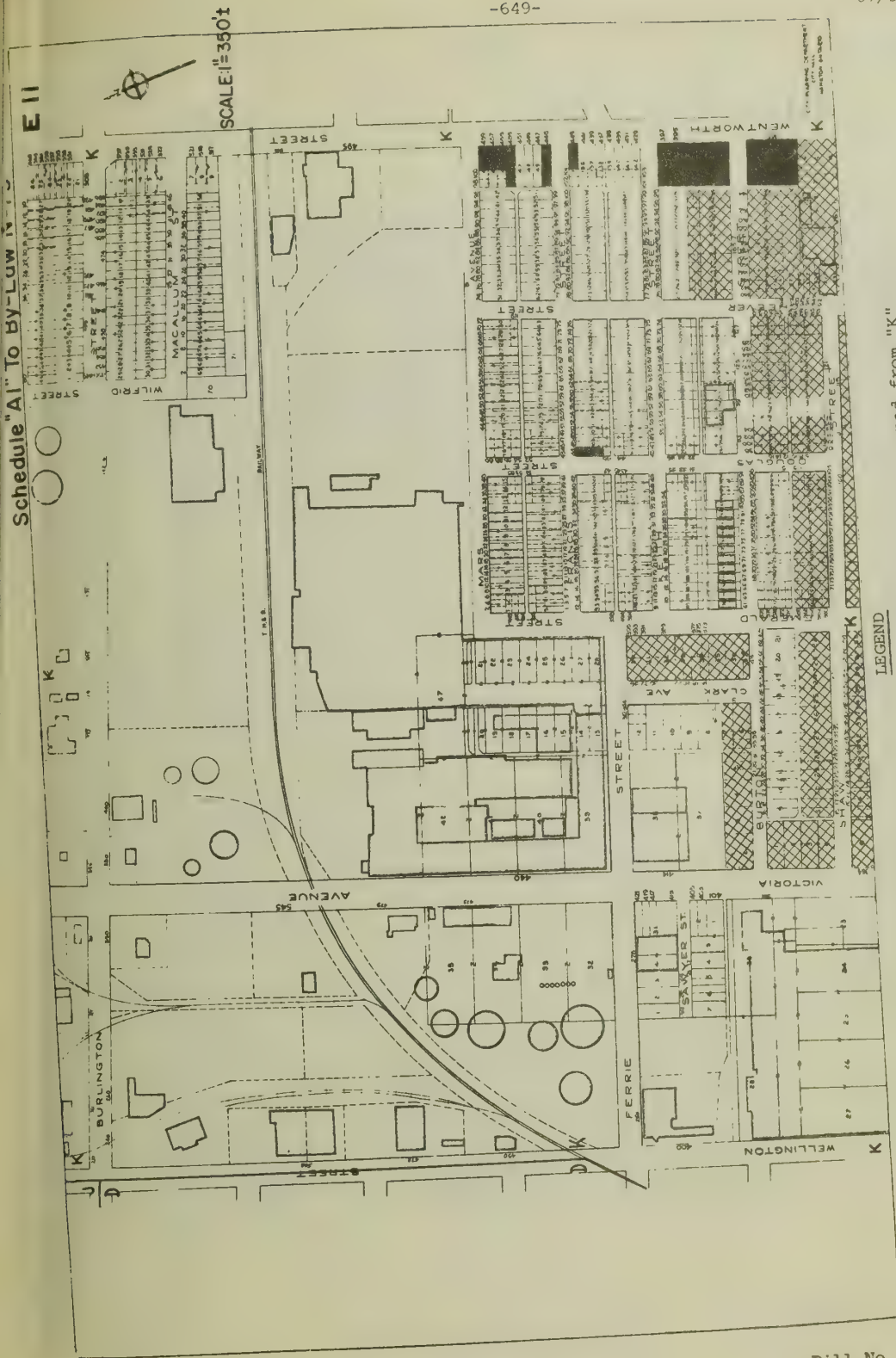
Bill No. 212

This is Schedule "A" to By-law No. 79-242 passed the 31st day of July A.D. 1979.

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor



LEGEND

Lands on Sheet No. E-11 of the Zoning District Maps to be re-zoned from "K"

(Heavy Industry, etc.) District to:

"H" (Community Shopping and Commercial, etc.) District.
 "J" (Light and Limited Heavy Industry, etc.) District - (Modified to allow extension of existing dwellings).

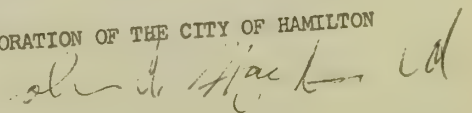
AREA "3" 
 AREA "4" 

Bill No. 212

This is Schedule "A1" to By-law No. 79-242 passed the 31st day of July A.D. 1979

THE CORPORATION OF THE CITY OF HAMILTON

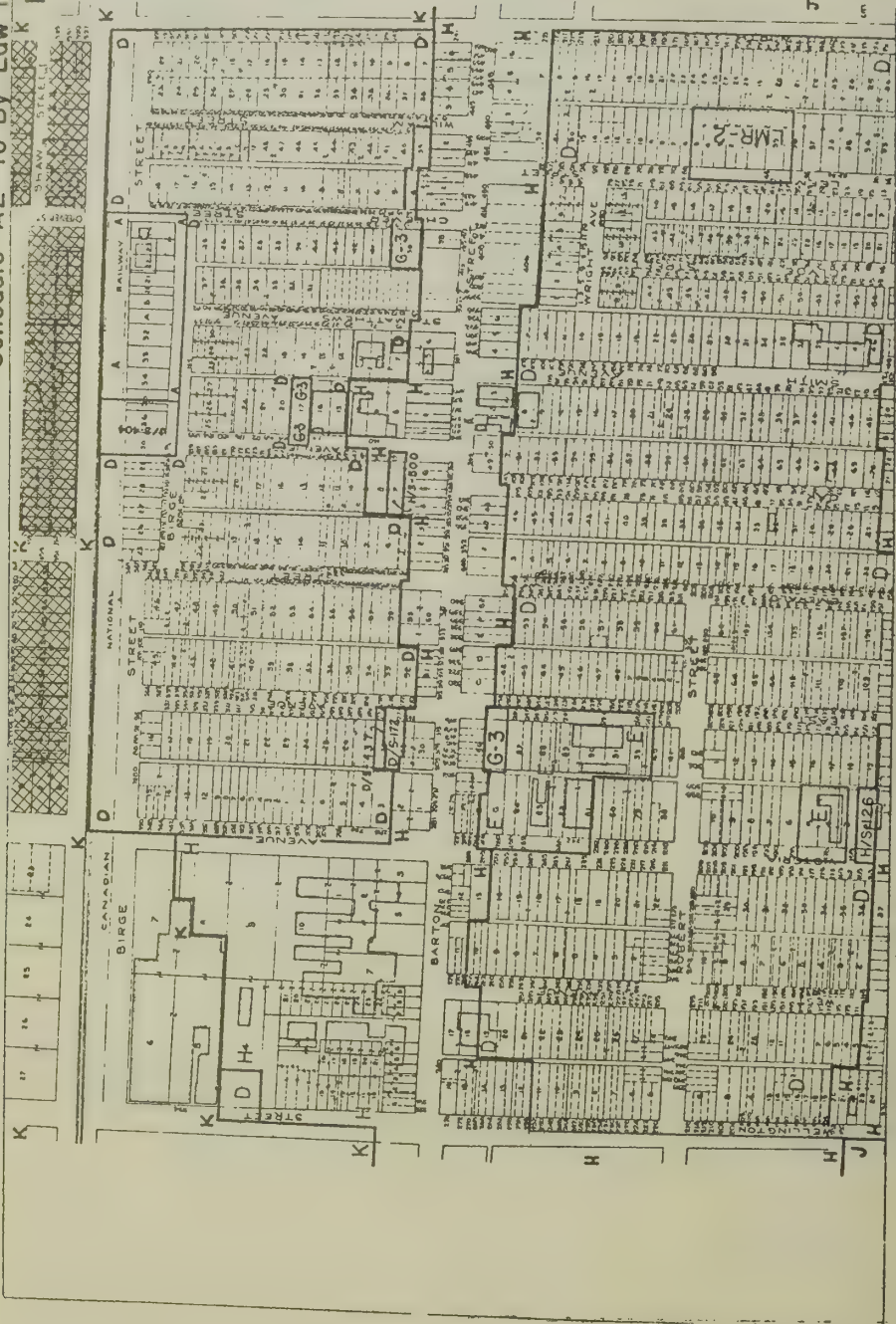

 City Clerk


 Mayor

Schedule "A2" To By-Law No 79-242

E 12

SCALE: 1"=350'



LEGEND

Lands on Sheet No. E-12 of the Zoning District Maps to be re-zoned from "K" (Heavy Industry, etc.) District to:
"J" (Light and Limited Heavy Industry, etc.) District - (Modified to allow extension of existing dwellings).

AREA "4"

Bill No. 212

This is Schedule "A2" to By-law No. 79-242 passed the 31st day of July A.D. 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

E 20

K

K

K

K

K

K

K

K

K

K

K

K

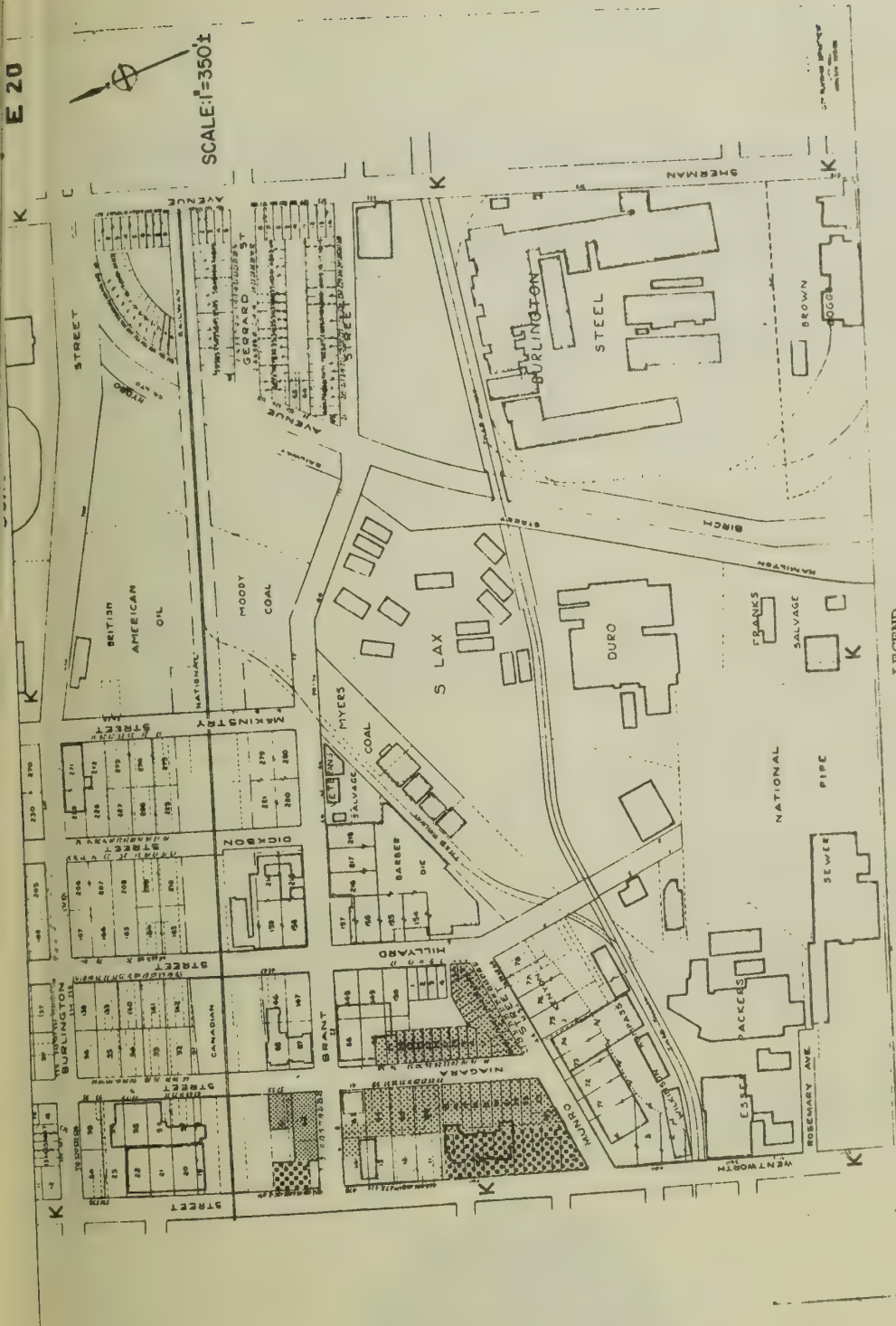
K

K

K

K

SCALE: 1"=350'



LEGEND

Lands on Sheet No. E-20 of The Zoning District Maps to be re-zoned from "K"

(Heavy Industry, etc.) District to:

"D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.

"D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District - (Modified)

AREA "1"

AREA "2"

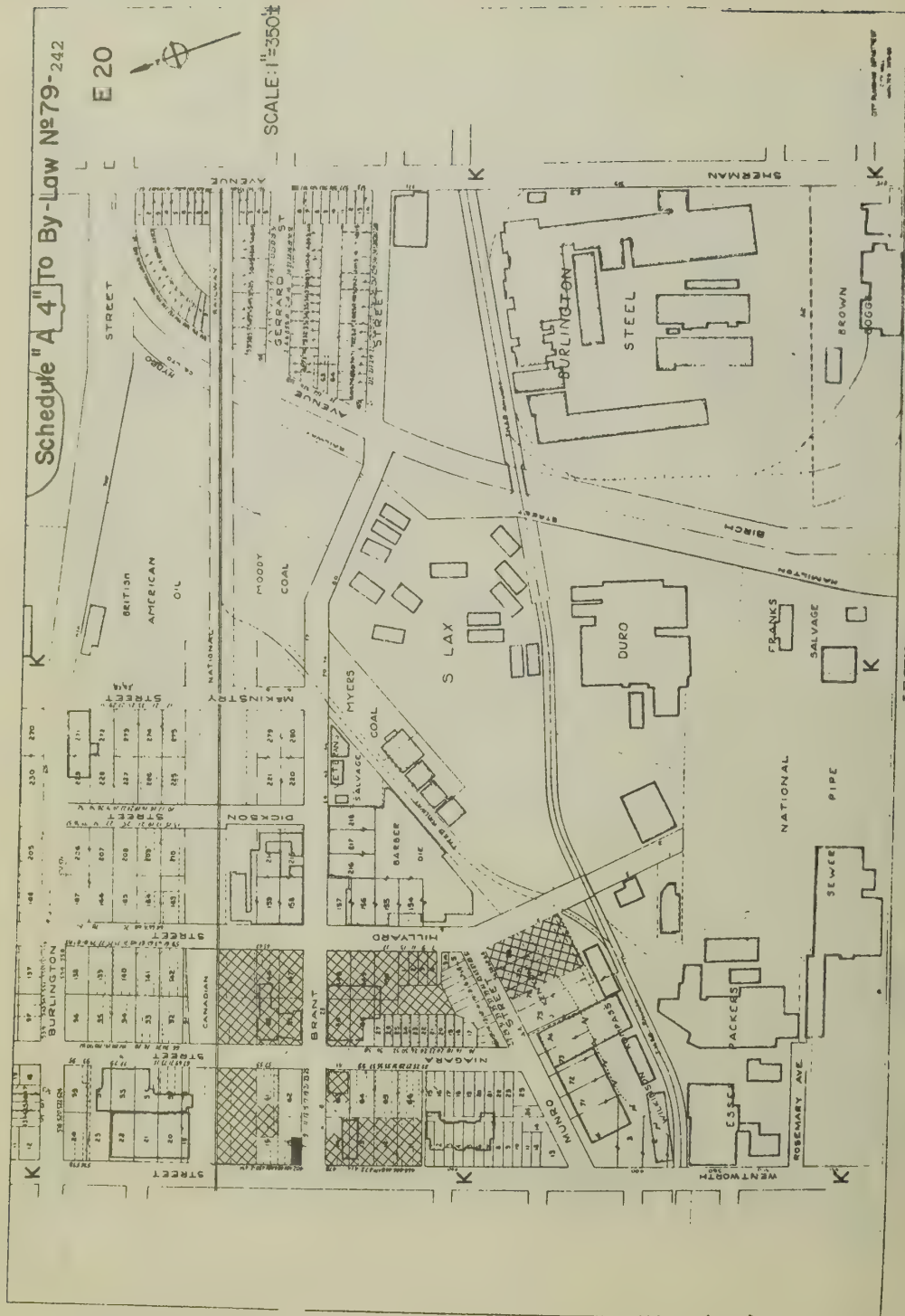
Bill No. 212

This is Schedule "A3" to By-law No. 79-242 passed the 31st day of July A.D. 1979.

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor



LEGEND

Lands on Sheet No. E-20 of the Zoning District Maps to be re-zoned from "K" (Heavy Industry, etc.) District to:

"H" (Community Shopping and Commercial, etc.) District.

"J" (Light and Limited Heavy Industry, etc.) District - (Modified to allow extension of existing dwellings).

AREA "3"
AREA "4"

Bill No.

212

This is Schedule "A4" to By-law No. 79- 242 passed the 31st day of July A.D. 1979.

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

Bill No.241

BY-LAW No. 79- 243

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE 31ST DAY OF JULY A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of
the Revised Statutes of Ontario, 1970, the powers of a municipal corp-
oration are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act,
being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers
of every Council are to be exercised by by-law;

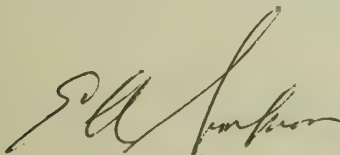
AND WHEREAS it is deemed expedient that the proceedings of the
Council of The Corporation of the City of Hamilton at this meeting be
confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton
enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton
in respect to each recommendation contained in the Report/Reports of the
Board of Control and in the Reports of the Committees and of the local
Boards and Commissions and each motion and resolution passed and other
action taken by the Council of The Corporation of the City of Hamilton at
this meeting is hereby adopted and confirmed as if all such proceedings
were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of
Hamilton are hereby authorized and directed to do all things necessary
to give effect to the action of the Council of The Corporation of the City
of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the
Board of Control and the City Clerk, or in the absence of the City Clerk,
the Deputy City Clerk, are authorized and directed to execute all documents
necessary in that behalf and to affix thereto the seal of The Corporation of
the City of Hamilton.

PASSED this 31st day of July

A.D., 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 244

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act on Lake Avenue, Ray Street and Stone Church Road;
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the City Engineer.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 8 of the 14th Report of the Traffic and Engineering Committee on the 10th day of April, 1979;

AND WHEREAS it is expedient to proceed without petition to undertake as local improvements the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed have not, within one month after first publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has procured to be made reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 31st day of July, 1979, issue Order No. E 79834, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of certain works as local improvements on the initiative plan at an estimated cost of \$676,000.00, and
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$113,188.67 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$676,000.00.

2. The share or portion of the estimated cost of the works in the amount of \$113,188.67 to be borne by the lands abutting directly on the works and the estimated cost per foot to be rated shall be as set out in Schedule "A", provided that the actual rate per foot shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.

- 2 -

3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth -

(a) to the extent sufficient to provide an amount not exceeding \$113,188.67; and

(b) repayable over a term not exceeding fifteen years, chargeable to The Corporation of the City of Hamilton.

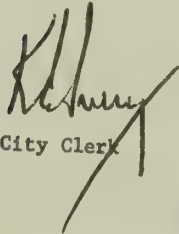
4. The City Engineer is hereby authorized to -

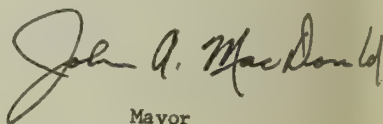
(a) prepare all necessary plans, specifications and reports required for the construction of the works, and

(b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this 28th day of August A.D. 1979.


Deputy City Clerk


Mayor



SCHEDULE "A"

The Construction of:

	<u>COST:</u>	<u>DEBENTURE:</u>
<u>ROADWAY</u> on:		
1. RAY STREET from Barton Street to York Boulevard	\$132,000.00	\$20,720.00
<u>ROADWAY</u> and <u>INDEPENDENT CURBS</u> , on:		
2. LAKE AVENUE from South Service Road to Barton Street	440,000.00	63,847.00
<u>INDEPENDENT CONCRETE SIDEWALK</u> , on:		
3. LAKE AVENUE from South Service Road to Barton Street	79,000.00	22,802.50
4. STONE CHURCH ROAD (south side) from Upper Gage Avenue to Taymall Street	25,000.00	5,819.17

at the costs and charges not exceeding those set out below:

City's share	\$562,811.33
Owners' share	<u>113,188.67</u>
Total Estimated Cost	<u>\$676,000.00</u>

Estimated per foot frontage:	\$10.00 (Item 1)
	\$14.00 (Item 2)
	\$ 5.00 (Item 3)
	\$ 5.00 (Item 4)

Fifteen annual instalments

The Corporation of the City of Hamilton

BY-LAW NO. 79- 245

To Authorize:

1. The construction of a local improvement without petition under Section 12 of The Local Improvement Act on Stirton Street;
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the City Engineer.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 6 of the 2nd Report of the Traffic and Engineering Committee on the 30th day of January, 1979;

AND WHEREAS it is expedient to proceed without petition to undertake as local improvements the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as a local improvement has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed have not, within one month after first publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has procured to be made reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 4th day of July, 1979, issue Order No. E 79661, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of a finished roadway on Stirton Street as a local improvement on the initiative plan at an estimated cost of \$103,000.00, and
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$12,060.83 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$103,000.00.
2. The share or portion of the estimated cost of the work in the amount of \$12,060.83 to be borne by the lands abutting directly on the works and the estimated cost per foot to be rated shall be as set out in Schedule "A", provided that the actual rate per foot shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.

- 2 -

3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth -

- (a) to the extent sufficient to provide an amount not exceeding \$12,060.83; and
- (b) repayable over a term not exceeding fifteen years, chargeable to The Corporation of the City of Hamilton.

4. The City Engineer is hereby authorized to -

- (a) prepare all necessary plans, specifications and reports required for the construction of the works, and
- (b) supervise construction of the works.

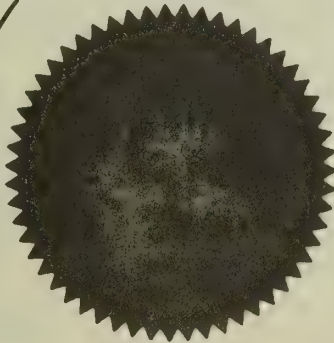
5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this 28th day of August A.D. 1979.

Deputy

City Clerk

Mayor



SCHEDULE "A"

The construction on Stirton Street from Wilson Street to King Street
of a roadway at the costs and charges not exceeding those set out below:

City's share	\$ 90,939.17
Owners' share	<u>12,060.83</u>
	<u>\$103,000.00</u>

Estimated per foot frontage: \$10.00

Fifteen annual instalments

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 246

To Authorize:

1. The construction of local improvements on an Alleyway, between Nightingale Street and King William Street, as described in Schedule "A";
2. The special assessment to pay a portion of the cost, upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the City Engineer.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 11 of the 22nd Report of the Traffic and Engineering Committee on the 26th day of June, 1979;

AND WHEREAS the Council has procured to be made reports, estimates, and statements for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 30th day of July, 1979, issue Order No. E 79835, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of an alleyway, between Nightingale Street and King William Street as a local improvement on petition at an estimated cost of \$28,000.00, and
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$4,098.64 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$28,000.00.
2. The share or portion of the estimated cost of the works in the amount of \$4,098.64 to be borne by the lands abutting directly on the works and the estimated cost per foot to be rated shall be as set out in Schedule "A", provided that the actual rate per foot shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth -
 - (a) to the extent sufficient to provide an amount not exceeding \$4,098.64; and
 - (b) repayable over a term not exceeding fifteen years, chargeable to The Corporation of the City of Hamilton.

- 2 -

4. The City Engineer is hereby authorized to -

(a) prepare all necessary plans, specifications and reports required for the construction of the works, and

(b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this 28th day of August A.D. 1979.

Deputy

City Clerk



Mayor

SCHEDULE "A"

The Construction between Nightingale Street and King William Street
from Ashley Street to Wentworth Street of an alleyway at the costs and charges
not exceeding those set out below:

City's share	\$23,901.36
Owners' share	<u>4,098.64</u>
Total Estimated Cost	<u><u>\$28,000.00</u></u>

Estimated per foot frontage: \$8.00

Fifteen Annual Instalments

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 247

To Amend:

Zoning By-law No. 79-197

Respecting:

LAND LOCATED AT MUNICIPAL NO. 884 CONCESSION STREET

WHEREAS By-law No. 79-197, passed on the 26th day of June, 1979, provided for a modification to the "C" District of By-law No. 6593, applicable to the land at Municipal No. 884 Concession Street;

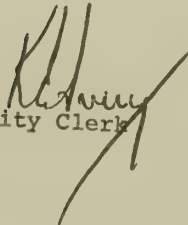
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act;

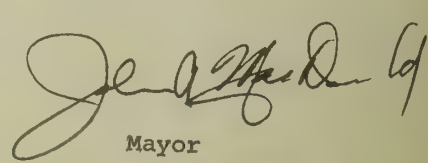
AND WHEREAS it is necessary to revise a reference in paragraph 1 of section 1 of By-law No. 79-197.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraph 1 of section 1 of By-law No. 79-197 is amended by striking out "section 10(1)" in the first line and inserting in lieu thereof, "section 9(1)".
2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 28th day of August A.D. 1979.


Deputy City Clerk


Mayor

(1979) 21 R.P.D.C. 1, June 26
Dr. Sam Macaluso, Prospective Owner
Z.A. 79-16



Bill No. 250

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 248

To Amend:

Licensing By-law No. 73-342

Respecting:

TOBACCO LICENCES

WHEREAS Schedule 20 of By-law No. 73-342, passed on the 18th day of December, 1973 and in force on the 1st day of January, 1974, provided for the licensing of Tobacconists in accordance with paragraph 2 of section 382 of The Municipal Act, R.S.O. 1970, Chapter 284;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 5 of the 5th Report of the Legislation and Fire Committee on May 8, 1979, authorized and directed the deletion of Tobacco Licences from By-law No. 73-342;

AND WHEREAS By-law No. 79-164, passed on the 29th day of May, 1979, repealed Schedule 20 of By-law No. 73-342 thereby deleting Tobacco Licences from By-law No. 73-342;

AND WHEREAS the Council of the City, in adopting Item 13 of the 8th Report of the Legislation and Fire Committee on July 31, 1979, authorized the expiry of the Tobacco Licences on December 31, 1979 instead of on May 8, 1979.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 73-342 is amended by adding thereto the following Schedule:

SCHEDULE 20

TOBACCONISTS

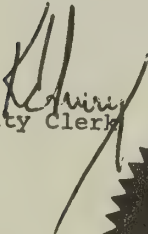
Licence Required

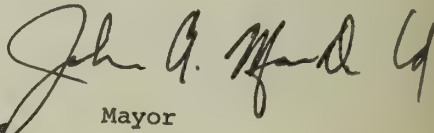
1. (1) Except as provided in subsection 2, no person shall keep any store or shop where tobacco, cigars or cigarettes are sold by retail, without a licence under this By-law, entitling him so to do.

(2) The keeper of a hotel within the meaning of the provisions of The Municipal Act in that behalf is not required to take out a licence under the Schedule.

2. The licence fee for keepers of stores and shops where tobacco, cigars or cigarettes are sold by retail, for each calendar year shall be \$20.00.

PASSED this 28th day of August A.D. 1979.


Deputy City Clerk


Mayor



(1979) 8 R.L.F.C. 13, July 31

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 249

Respecting:

APPOINTMENT OF COUNCIL MEMBERS TO
ACT AS MAYOR IN ABSENCE OF MAYOR

WHEREAS subsection 3 of section 209 of The Municipal Act, R.S.O. 1970, Chapter 284 provides that,

(3) The council of any municipality may by by-law appoint a member of the council to act from time to time in the place and stead of the head of the council when the head of the council is absent from the municipality or absent through illness or his office is vacant and, while so acting, such member has and may exercise all the rights, powers and authority of the head of the council;

AND WHEREAS the Council of The Corporation of the City of Hamilton did on the 29th day of March, 1960 enact By-law No. 8958 wherein the Controller who received the highest number of votes at the next preceding election was appointed to act from time to time in place and stead of the Mayor, as therein set forth;

AND WHEREAS the Council of The Corporation of the City of Hamilton did on the 29th day of June, 1971 enact By-law No. 71-197 wherein Controllers who received the next highest number of votes in sequence at the next preceding election were appointed to act from time to time in place and stead of the Mayor, as therein set forth;

AND WHEREAS for greater clarity, it is expedient to repeal By-laws Nos. 8958 and 71-197 and enact a similar by-law in accordance with subsection 3 of section 209 of The Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Controller referred to in section 2 is hereby appointed to act in place and stead of the Mayor when,

- (a) the Mayor is absent from the municipality; or
- (b) the Mayor is absent through illness; or
- (c) the office of the Mayor is vacant.

2. The Controller appointed under section 1 shall be appointed in the following order:

1. Firstly, the Controller who has received the highest number of votes at the next preceding election.
2. Secondly, where the Controller referred to in paragraph 1 is absent from the municipality, or is absent through illness, or his office is vacant, the Controller receiving the second highest number of votes at the next preceding election.
3. Thirdly, where the Controllers referred to in paragraphs 1 and 2 are absent from the municipality or are absent through illness or their office is vacant, the Controller receiving the third highest number of votes at the next preceding election.
4. Fourthly, where the Controllers referred to in paragraphs 1, 2 and 3 are absent from the municipality or are absent through illness or their office is vacant, the Controller receiving the fourth highest number of votes at the next preceding election.

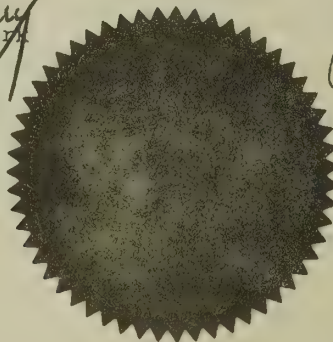
3. The Controller appointed under section 1, while so acting, has and may exercise all the rights, powers and authority of the Mayor.

4. By-law No. 8958, passed on the 29th day of March, 1960 and By-law No. 71-197, passed on the 29th day of June, 1971, are repealed.

PASSED this 28th day of August A.D. 1979.

Deputy City Clerk

Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79- 250

To Adopt:

Official Plan Amendment No. 347

Respecting:

LAND LOCATED AT THE SOUTH-WEST CORNER OF QUEEN AND HUNTER STREETS

The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 347 to the Official Plan of the
Hamilton Planning Area consisting of Schedule 1, hereto
annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such
approval of the Official Plan Amendment referred to in
section 1 above, as may be requisite, be obtained and for
the doing of all things for the purpose thereof.

PASSED this 28th day of August A.D. 1979.

Deputy

City Clerk

Mayor

(1979) 27 R.P.D.C. 1(a), August 28
Z.A. 77-57

AMENDMENT NO. 347 of the Official Plan for the Hamilton Planning Area.

The following text, together with the map attached as Schedule "A" hereto, constitute Amendment No. 347.

PURPOSE:

To change the land use designation established in a prescribed area.

LOCATION:

South west corner of Queen and Hunter Streets.

BASIS:

It is proposed that lands at the south west corner of Queen and Hunter Streets, be used for commercial purposes and that the present designation of these lands be changed accordingly.

ACTUAL CHANGE:

That the designation of the lands outlined in red on Schedule "A" be changed from "Residential" to "Commercial".

IMPLEMENTATION:

A Restricted Area By-Law will give effect to the intended commercial use of the subject lands.

Bill No. 252

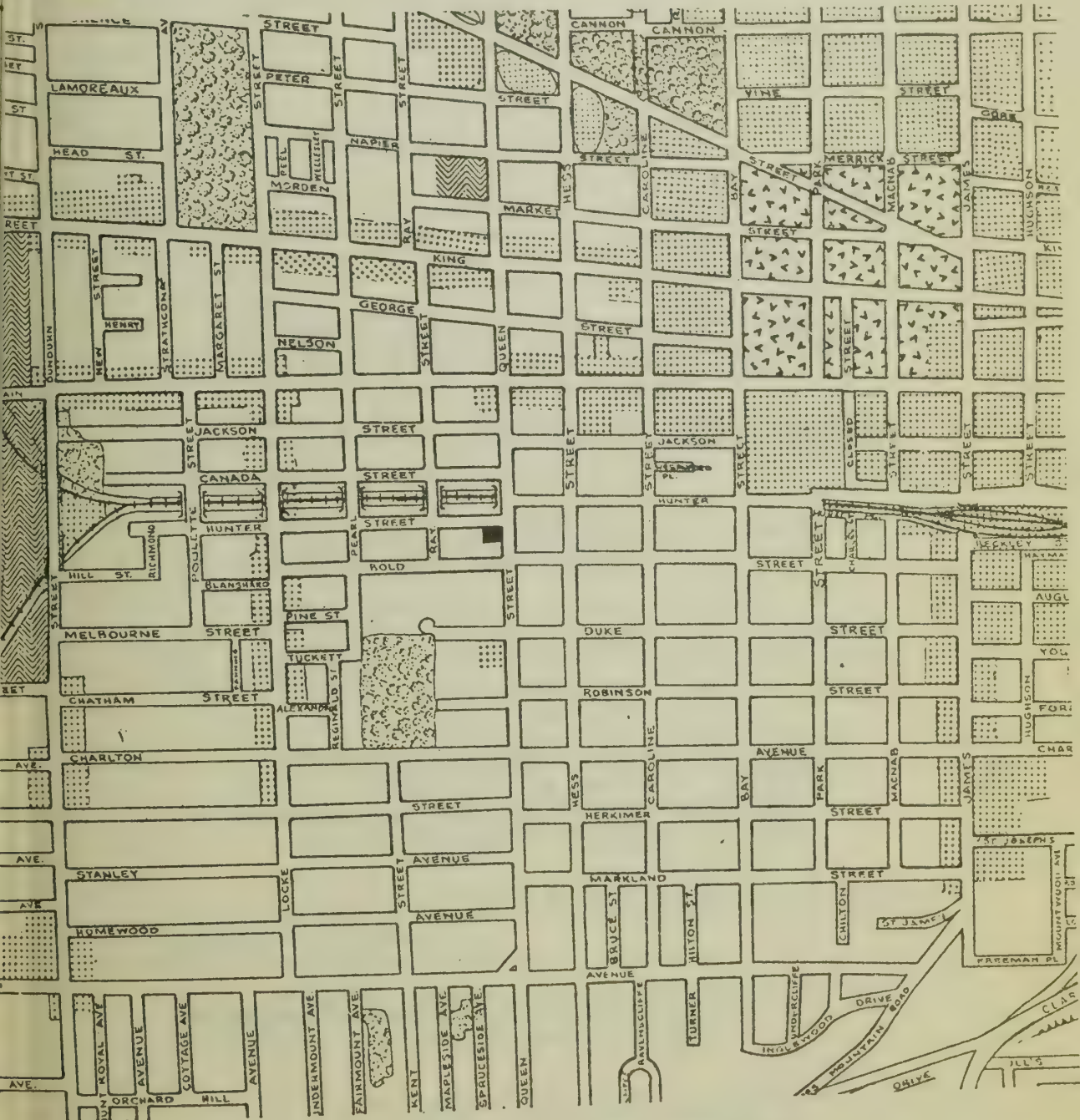
This is Schedule 1 to By-law No. 19-250 passed the 28th day of August, 1979

Deputy City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

Mayor

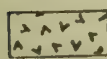
CHANGE FROM
"RESIDENTIAL" TO "COMMERCIAL"



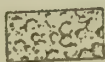
COMMERCIAL



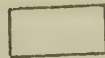
INDUSTRIAL



DOWNTOWN



RECREATION, CIVIC
AND CULTURAL



RESIDENTIAL



The Corporation of the City of Hamilton

BY-LAW NO. 79 -

To Repeal:

By-law No. 78-93

Respecting:

LAND LOCATED IN THE AREA BOUNDED BY OTTAWA STREET,
BEACH ROAD, WOODLEIGH AVENUE AND THE C.N.R.

WHEREAS By-law No. 78-93, passed on the 28th day of March, 1978, provided for a change in zoning from "H" (Community Shopping and Commercial, etc.) district and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "K" (Heavy Industry, etc.) district of land in the area bounded by Ottawa Street, Beach Road, Woodleigh Avenue and the Canadian National Railway;

AND WHEREAS the Ontario Municipal Board, (File No. R 781534), at its hearing held on April 24 and 25, 1979 did not approve the said By-law for the following reasons:

1. An industrial zoning was suitable for the subject lands, but some uses in the "K" (Heavy Industry, etc.) District were not appropriate - e.g. slaughterhouse, glue factory, a plant for rock crushing.
2. The By-law was not specific enough to provide adequate protection for residential uses to the east.
3. The By-law was "premature" until a development proposal was made.

AND WHEREAS it is desirable to repeal By-law No. 78-93.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 78-93 is repealed.

READ A FIRST TIME on this 28th day of August, A.D. 1979.

READ A SECOND AND THIRD TIME AND FINALLY PASSED this
day of A.D., 1979.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 -

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE BLOCK BOUNDED BY OTTAWA STREET NORTH,
BEACH ROAD, WOODLEIGH AVENUE AND THE CANADIAN NATIONAL RAILWAY

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-52 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "H" (Community Shopping and Commercial, etc.) district and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "J" (Light and Limited Heavy Industry, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "J" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variances as special requirements:

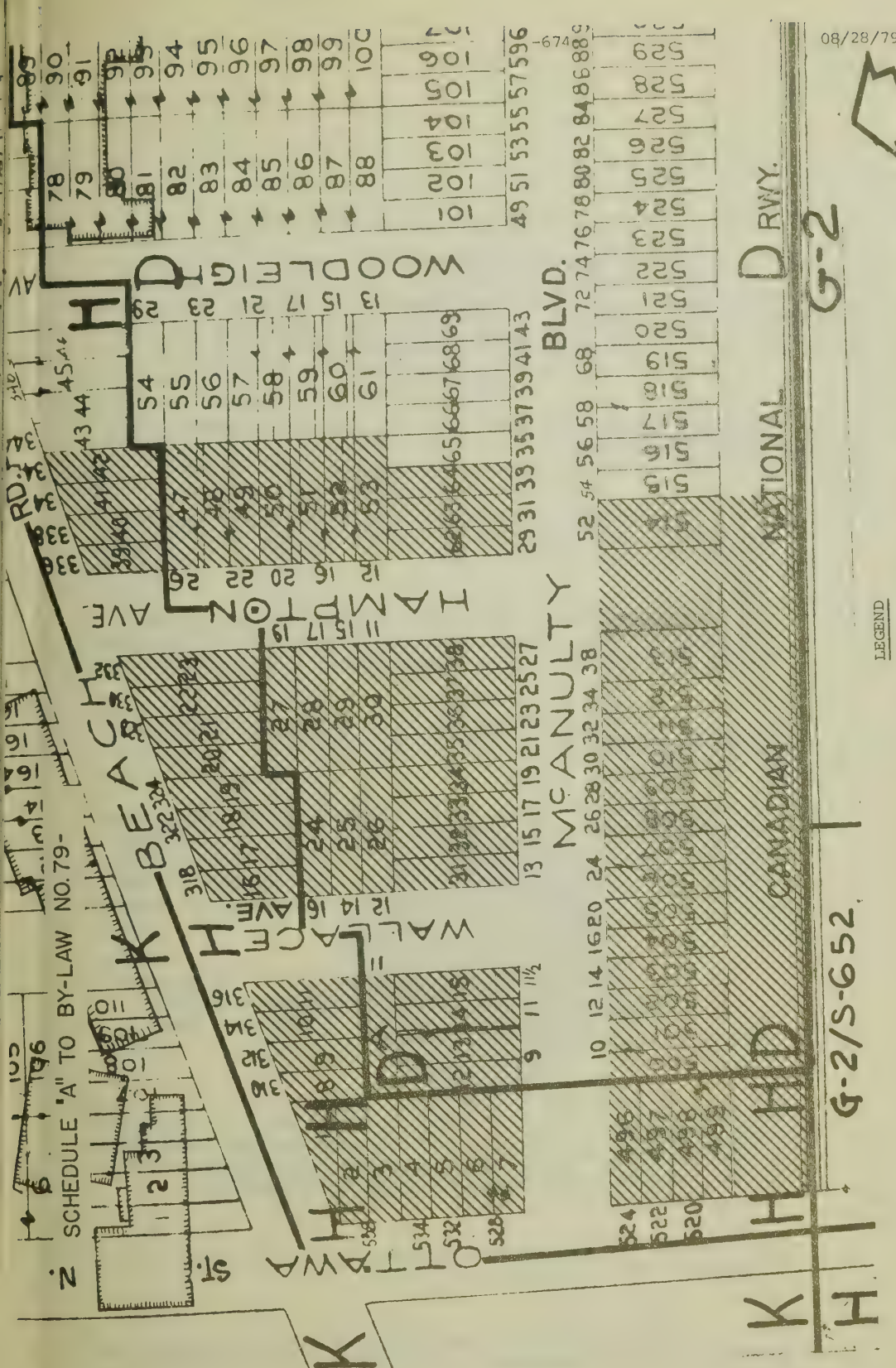
- 1. Notwithstanding section 16(1) of By-law No. 6593, truck storage accessory to the manufacture of metal products shall be permitted.
- 2. A landscaped area not less than 15 metres in width shall be provided and maintained as a berm abutting all of the easterly limit of the land.

3. A car parking area or a landscaped area not less than 45 metres in width shall be provided and maintained abutting all of the westerly limit of the required landscaped berm.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "J" District provisions subject to the special requirements referred to in section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-670".
5. Sheet No. E-52 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-670".
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.
- READ A FIRST TIME on this 28th day of August, A.D., 1979.
- READ A SECOND AND THIRD TIME AND FINALLY PASSED this
day of
A.D., 1979.

City Clerk

Mayor

(1979) 27 R.P.D.C. 7, August 28
City Initiative 79-S



08/28/79

LEGEND

Lands on Part of Sheet No. E-52 of The Zoning District Maps to be re-zoned from "H" (Community Shopping and Commercial, etc.) District and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "J" (Light and Limited Heavy Industry, etc.) District.

This is Schedule "A" to By-law No. 79 - READ A FIRST TIME the day of

READ A SECOND AND THIRD TIME AND FINALLY PASSED the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 251

To Amend:

Zoning By-law No. 6593

Respecting:

PROPERTY LOCATED AT MUNICIPAL NO. 263 JOHN STREET SOUTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-3" (High Density Multiple Dwellings) district provisions of By-law No. 6593, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:
 1. Notwithstanding section 11C(1) of By-law No. 6593, the existing building may be converted and used for commercial uses that are professional offices.
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-3" District provisions, subject to the special requirement referred to in section 1.
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-669".
4. Sheet No. E-5 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-669".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

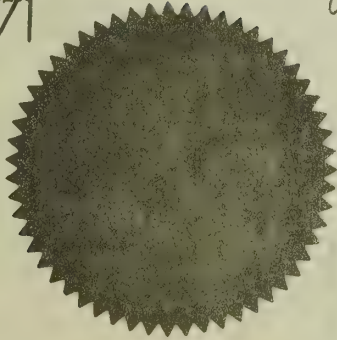
6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 28th day of August A.D. 1979.

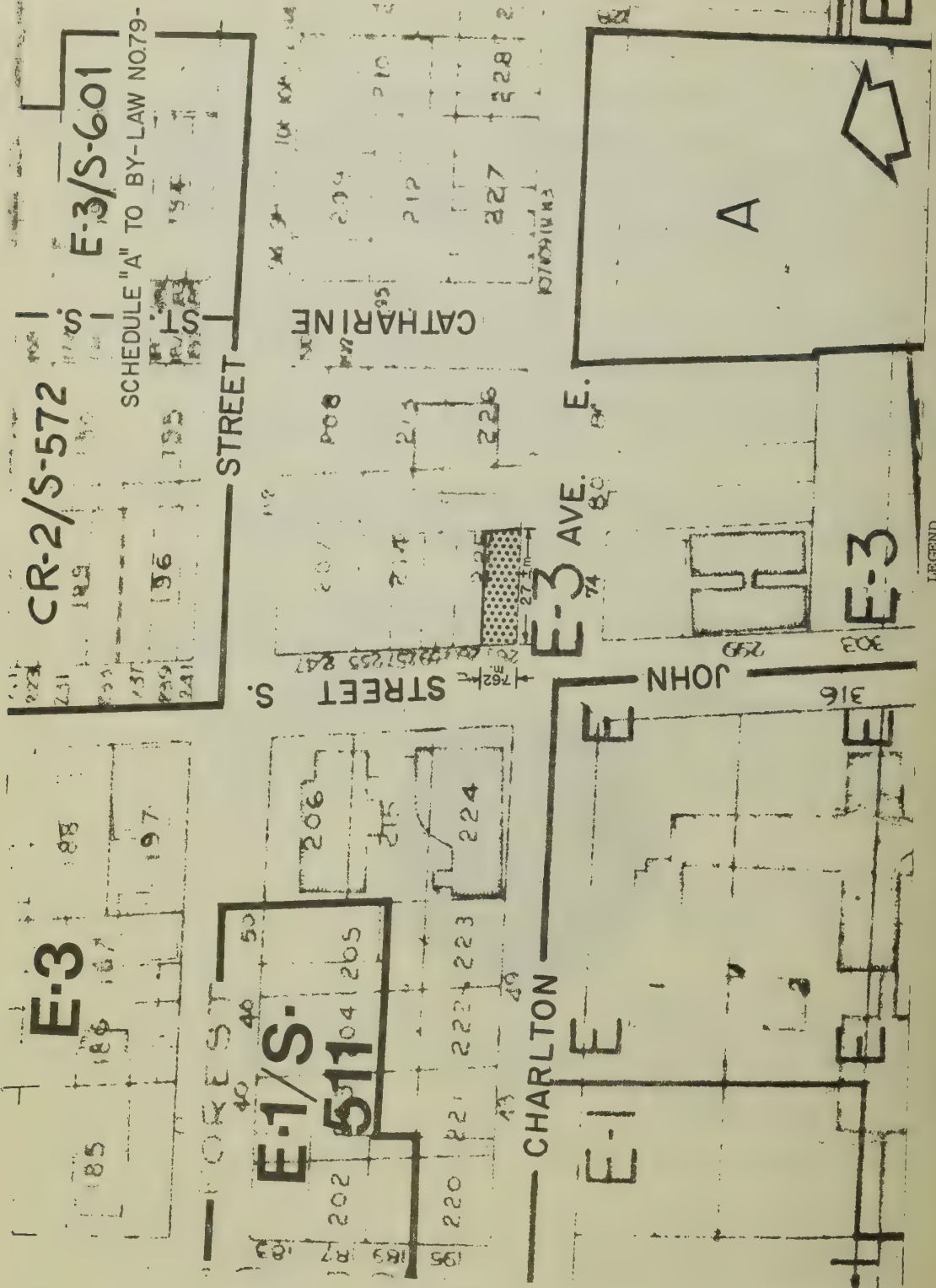
Deputy

City Clerk

Mayor



(1979) 27 R.P.D.C. 5, August 28
T.R. Scoccia and L. Castura, Owners
Z.A. 79-41



Lands on Part of Sheet No. E-5 of The Zoning District Maps to be regulated by By-law No. 79-

Bill No. 255

This is Schedule "A" to By-law No. 79-251 passed the 28th day of August, 1979

[Signature]
City Clerk
Deputy

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 252

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON STONE CHURCH ROAD EAST AND ANCHOR ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-69C and E-69D of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, are amended,

- (a) by changing from "A" (Conservation, Open Space, Park and Recreation) district to "M-13" (Prestige Industrial) district, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) district to "A" (Conservation, Open Space, Park and Recreation) district, the land comprised in Block 2; and
- (c) by changing from "M-13" (Prestige Industrial) district to "M-14" (Prestige Industrial) district, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as schedule "A".

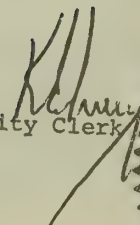
2. The "M-13" District provisions applicable to the land referred to in clause (a) of section 1 are amended to the extent only of the following variances as special requirements:

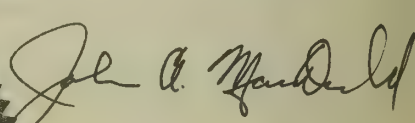
- 1. Notwithstanding subsections 9 and 10 of section 17C of By-law No. 6593, there shall be provided and maintained,
 - (a) a front yard of a depth of at least 7.5 metres; and
 - (b) a side yard along the south lot line having a width of at least 7.5 metres.

2. Notwithstanding paragraph 2 of subsection 16 of section 17C of the said By-law, there shall be provided and maintained,
- (a) a landscaped area having a depth of not less than 15 metres along the west lot line; and
 - (b) a landscaped area having a depth of not less than 3 metres along the south lot line.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-13" District provisions, subject to the special requirements referred to in section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-658".
5. Sheets Nos. E-69C and E-69D of the District Maps are amended by marking the land referred to in clause (a) of section 1 of this by-law, "S-658".
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

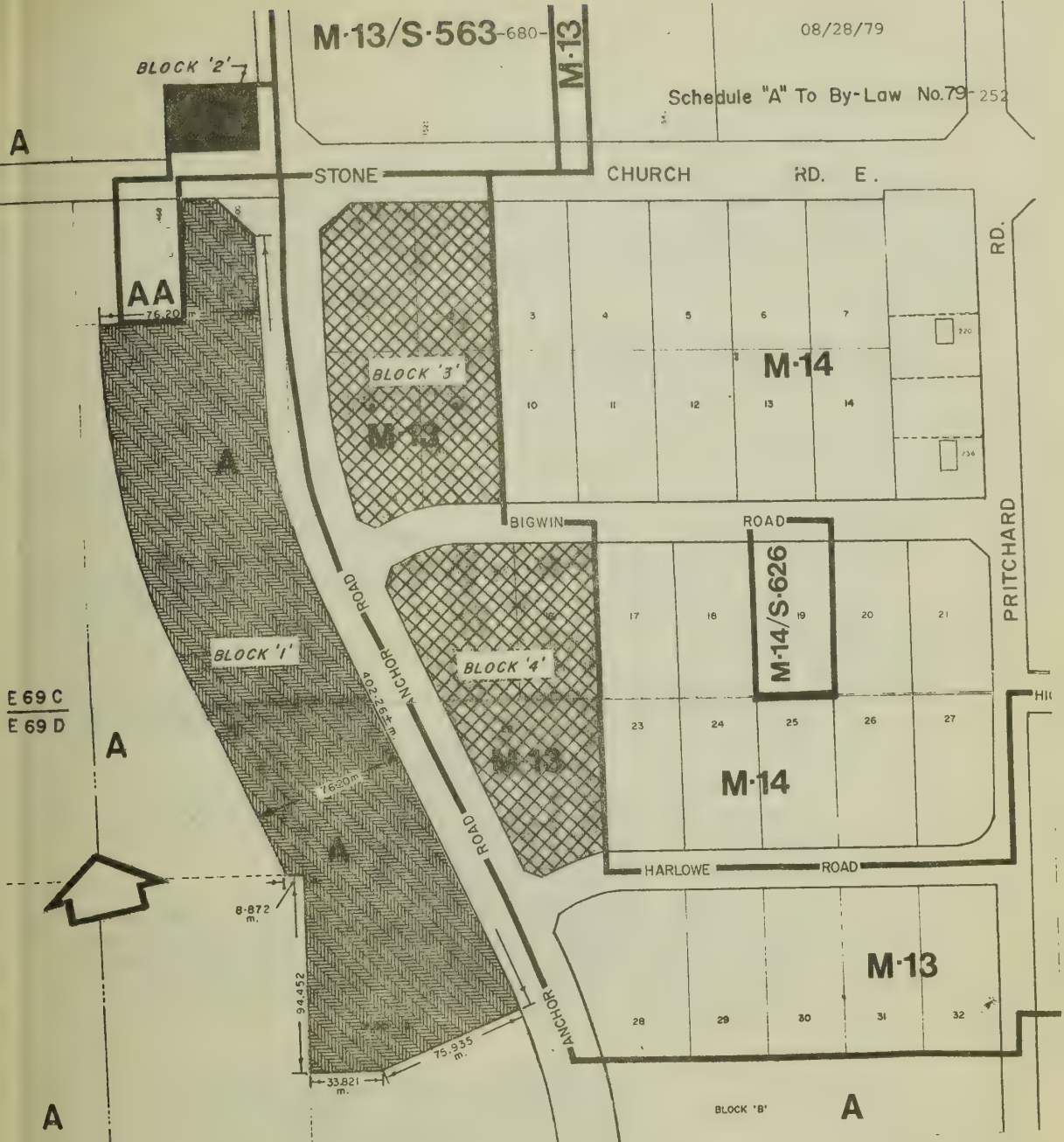
PASSED this 28th day of August

A.D. 1979.


Deputy City Clerk


Mayor

(1979) 25 R.P.D.C. 1(b), July 31
City Initiative 79-V



LEGEND: Lands on Part of Sheet No. E-69C and Part of Sheet No. E-69D of the Zoning District Maps to be re-zoned to:

- BLOCK '1'** "A" (Conservation, Open Space, Park & Recreation) District to "M-13" (Prestige Industrial) District.
- BLOCK '2'** "AA" (Agricultural) District to "A" (Conservation, Open Space, Park & Recreation) District.
- BLOCK '3' & BLOCK '4'** "M-13" (Prestige Industrial) District to "M-14" (Prestige Industrial) District.

Bill No. 256

This is Schedule "A" to By-law No. 79-252 passed the 28th day of August, 1979

THE CORPORATION OF THE CITY OF HAMILTON

Deputy City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 253

To Amend:

Zoning By-law No. 6593

Respecting:

PROPERTY LOCATED AT MUNICIPAL NO. 700 LIMERIDGE ROAD EAST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

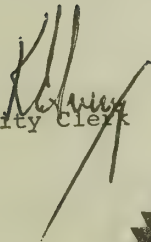
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

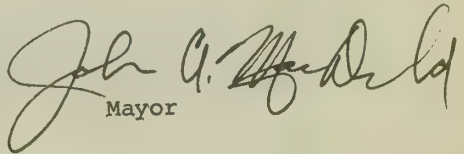
1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions of By-law No. 6593, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:
 1. Notwithstanding section 10(4)(i) of the said By-law, a lot or tract of land for a single family dwelling shall have a width of at least 10.5 metres and an area of at least 336 square metres.
 2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirement referred to in section 1.
 3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-667".
 4. Sheets Nos. E-38A and E-38B of the District Maps are amended by marking the land referred to in section 1 of this by-law, "S-667".

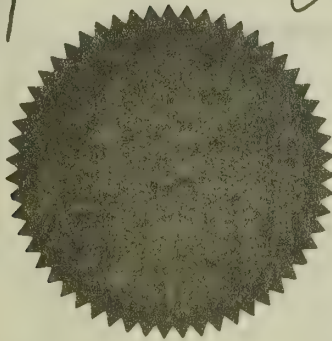
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

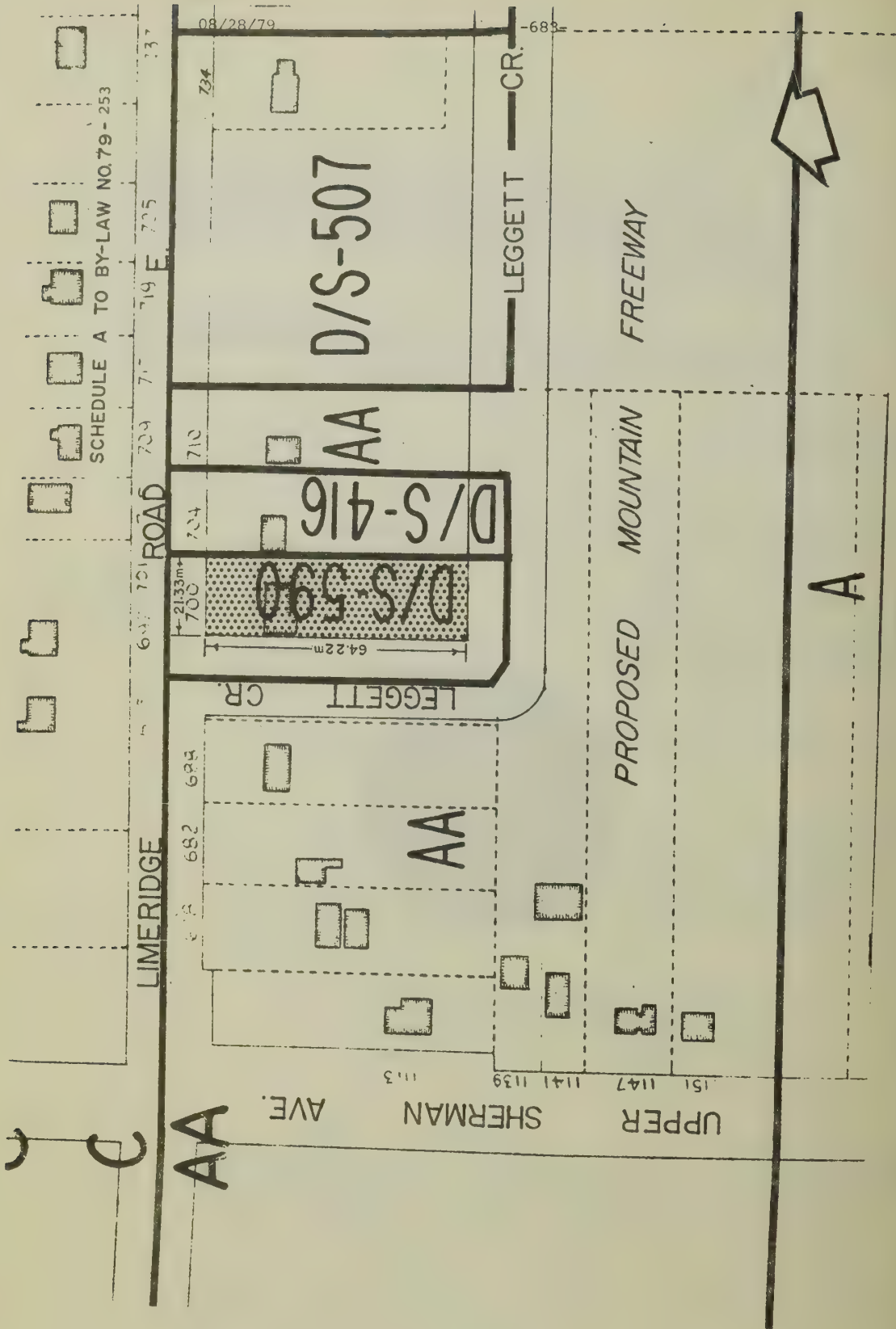
PASSED this 28th day of August A.D. 1979.


Deputy City Clerk


Mayor



(1979) 27 R.P.D.C. 3, August 28
Celac Construction Limited, Owner
Z.A. 79-42



LEGEND

Lands on Part of Sheet No. E-38B of The Zoning District Maps to be regulated by By-law No. 79-253

Bill No. 257

This is Schedule "A" to By-law No. 79-253 passed the 28th day of August, 1979

[Signature]
City Clerk
Deputy

THE CORPORATION OF THE CITY OF HAMILTON
[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 254

To Repeal:

By-law No. 76-191

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 300 FENNELL AVENUE EAST

WHEREAS the land to the rear of Municipal No. 300 Fennell Avenue East is zoned "G-3" (Public Parking Lots) district;

AND WHEREAS By-law No. 76-191, passed on the 29th day of June, 1976, established special requirements for the said land;

AND WHEREAS the owner of the land has not proceeded with the application;

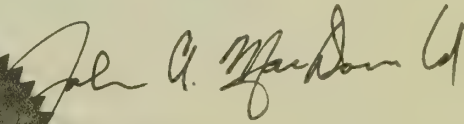
AND WHEREAS it is desirable to repeal By-law No. 76-191.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 76-191 is repealed.

PASSED this 28th day of August A.D. 1979.


Deputy City Clerk


Mayor

(1979) 27 R.P.D.C. 9, August 28
Z.A. 76-10
Legal File No. 40-5,1148

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 255

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF
MUNICIPAL NOS. 1188 and 1208 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9B of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district to "G-3" (Public Parking Lots) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "G-3" District provisions applicable to the lands referred to in section 1 are amended to the extent only of the following variance as a special requirement:

1. A landscaped area not less than 3 metres in width shall be provided and maintained along the west lot line of the land.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-3" District provisions, subject to the special requirement referred to in section 2.

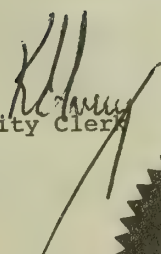
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-668".

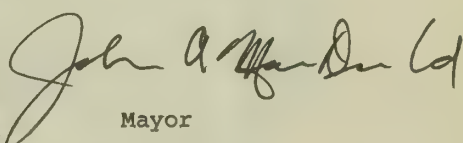
5. Sheet No. W-9B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-668".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 28th day of August A.D. 1979.


Deputy City Clerk


Mayor



(1979) 27 R.P.D.C. 4, August 28
Chambers Group Limited (In Trust), Owner
Z.A. 79-18

AA

08/28/79

AA

--687--

SCHEDULE "A" TO BY-LAW NO.79-255

HH

HH/S-137

HH/S-353

AA/C

HH

HH

G-3

AA

100.60m

39.62m

1224

LEGEND

Lands on Part of Sheet No. W-9B of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District.



Bill No. 259

This is Schedule "A" to By-law No. 79-255 passed the 28th day of August, 1979

J. 35 Deputy City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 256

To Amend:

Zoning By-law No. 6593

Respecting:

PROPERTY LOCATED AT MUNICIPAL NO. 355 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18A of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A",

2. The "C" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variance as a special requirement:

- 1. Notwithstanding section 9(3)(ii) of By-law No. 6593, there shall be provided and maintained one side yard having a width of at least 0.9 metres.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-666".
5. Sheet No. E-18A of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-666".
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 28th day of August A.D. 1979.

Deputy

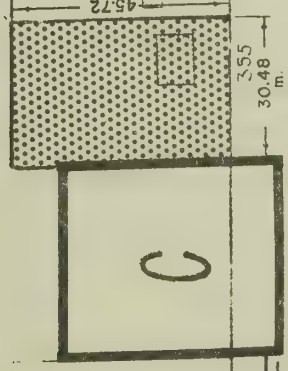
City Clerk

Mayor

(1979) 27 R.P.D.C. 2, August 28
T.J. and D.R. Wood, Owners
Z.A. 79-43

AA

AA



LIMERIDGE

ROAD

E.

AA

AA

08/28/79

LEGEND

Lands on Part of Sheet No. E-18A of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.



Bill No. 260

This is Schedule "A" to By-law No. 79- 256 passed the 28th day of August, 1979

Deputy City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

James A. McDonald
Mayor

* BY-LAW NO. 79 - 257

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 23 (Hamilton Street Railway Bus Stops) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby amended;

(a) by deleting from the Outbound Column of the Bay Front Table the following item, namely:-

"Burlington at Mary",

and by substituting therefor the following item, namely:-

"Burlington at Mary (FS)".

(b) by adding to the Garth Table the following items, namely:-

"OUTBOUND"INBOUND

Garth at House #1420 (MB)

Garth, opposite House #1420 (MB)".

2. Schedule 25 (Parking Time Limits) is hereby amended;

(a) by deleting from Section 5 (One Hour Limit) the following item, namely:-

"Chapple West Barton to 80 ft. north",

and by adding thereto the following item, namely:-

"Chapple West Barton to 130 ft. north".

(b) by adding to Section 7 (Three Hour Limit) the following item, namely:-

"Ashley West From 30 ft. south of Cannon to .
66 ft. southerly".

3. Schedule 25A (Parking Time Limits) is hereby amended:

(a) by deleting from Section 9 (Three Hour Limit, 8:00 AM - 8:00 PM) the following item, namely:-

"Cherryhill Both Mount Albion to Montmorency",

and by adding thereto the following item, namely:-

"Cherryhill South Mount Albion to Montmorency".

(b) by adding to Section 8 (Two Hour Limit) the following item, namely:-

"St. Joseph's Dr. South From 90 ft. west of easterly
end to 80 ft. westerly".

* By-law NO. 79-257 amended on Second Reading by deleting the original Section 2. (With this deletion, All Section have been re-numbered.)

4. Schedule 26 (No Parking Areas) is hereby amended;

(a) by deleting from Section A (No Parking Anytime) the following items, namely:-

"Chapple	West	From 80 ft. north of Barton to 175 ft. north of Barton
Ashley	West	Cannon to 75 ft. southerly
Balmoral	West	Dunsmure to 77 ft. north
Harmony	Both	Barton to Harrison",

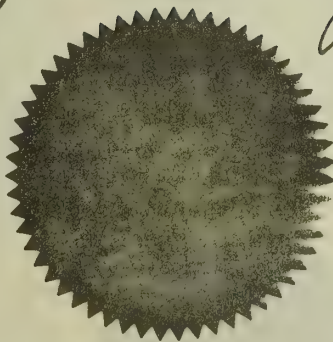
and by adding thereto the following items, namely:-

"Balmoral	West.	Dunsmure to 44 ft. north
Harmony	East	Barton to Harrison
Cherryhill	North	Mount Albion to Montmorency
Chapple	West	From 130 ft. north of Barton to 139 ft. northerly
Avondale	East	Barton to 135 ft. northerly".

PASSED this 28th day of August, A.D. 1979.

DEPUTY CITY CLERK

MAYOR



BY-LAW NO. 79 - 258

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby amended by adding thereto the following items, namely:-

"Homewood	Eastbound	MacDonald
MacDonald	Northbound	Stanley
Linwood	Southbound	Homewood".

2. Schedule 11 (Yield Right-of-Way Signs) is hereby amended by deleting therefrom the following items, namely:-

"Homewood	Eastbound	MacDonald
MacDonald	Northbound	Stanley
Linwood	Southbound	Homewood".

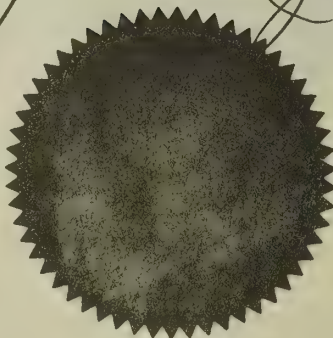
3. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following items, namely:-

"Harmony	West	Barton to 73 ft. north
Ashley	West	Cannon to 30 ft. south".

PASSED this 28th day of August, A.D. 1979.

DEPUTY CITY CLERK

MAYOR



Bill No. 263

BY-LAW No. 79-259

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28TH DAY OF AUGUST A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

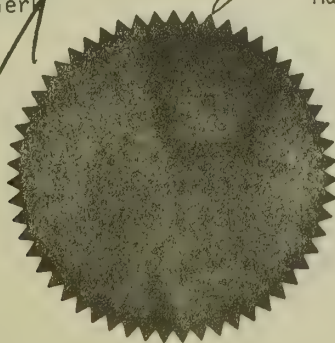
PASSED this 28th day of August

A.D., 1979.

Deputy

City Clerk

Mayor



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 79- 260

TO AUTHORIZE THE EXECUTION OF MUNICIPAL (OR OPERATING) AGREEMENTS
WITH ONTARIO HOUSING CORPORATION

WHEREAS, pursuant to The Housing Development Act, R.S.O. 1970, Chapter 213, as amended, a municipality, with the approval of the Minister of Housing, may enter into an agreement with any person of governmental authority for sharing or contributing to the capital cost or the maintenance cost of a housing project;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to enter into agreements with Ontario Housing Corporation pursuant to the said The Housing Development Act for the construction, operation and maintenance of family and senior citizen housing accommodation in the said City of Hamilton;

AND WHEREAS Ontario Housing Corporation has agreed to provide the approximate numbers of housing units on lands in the City of Hamilton, under agreement, as follows:

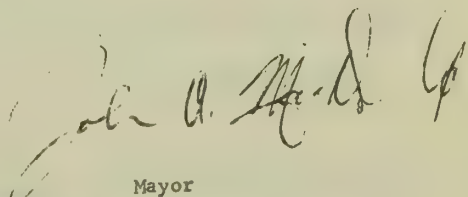
HAMILTON OH-60 - 4 Family Units - on Brewster Street and
Berrisfield Crescent

NOW THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

That the Mayor and the City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, the Operating Agreement with Ontario Housing Corporation mentioned above.

PASSED this 11th day of September A.D. 1979


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79- 261

To Authorize:

DEMOLITION OF THE RETAINING WALL LOCATED AT
MUNICIPAL NO. 157 PEARL STREET SOUTH,

WHEREAS subsection 4 of section 9 of The Ontario Building Code Act, 1974, as re-enacted by S.O. 1978, c.40, S.7 provides as follows:

(4) Where the Chief Official has made an Order under subsection 2 and considers it necessary for the safety of the public, he may cause the building to be renovated, repaired or demolished or take such other action as he considers necessary for the protection of the public, and, where the building is in a municipality, the cost of the renovation, repair, demolition or other action may be added by the clerk to the collector's roll and collected in a like manner as municipal taxes;

AND WHEREAS the chief official has made orders to comply in accordance with subsection 2 of section 9 of the said Act;

AND WHEREAS the chief official considers it necessary for the safety of the public, to cause the retaining wall to be demolished and a safe grade of the slope be established and install guardrails for the purpose of removing the unsafe condition.

AND WHEREAS it is desirable to authorize the chief official to proceed to cause the retaining wall to be demolished and grades established and guardrails installed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The chief official, being the Building Commissioner, is hereby authorized to proceed to cause the retaining wall situate on the land more particularly described in Schedule "A" hereto annexed, to be demolished and the grades established and the guardrails installed.
2. The clerk is hereby authorized to proceed to add the cost of the demolition referred to in Section 1 to the collector's roll and the cost so added shall be collected in a like manner as municipal taxes.

PASSED this 11th day of September A.D. 1979.

E. J. Simpson
City Clerk

John A. MacDonnell
Mayor

(1979) 29 R.P.D.C. 1, September 11

SCHEDULE "A"

TO

BY-LAW NO. 79- 261

Municipal Address: 157 Pearl Street South

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, formerly in the County of Wentworth, in the Province of Ontario, being composed of all of Lot 1 and part of Lot 3, as shown on a Plan of Survey known as Morris Court registered in the Registry Office for the Registry Division of Wentworth as Number 1148, which may be more particularly described as follows, that is to say:

COMMENCING at a cross cut in concrete marking the south-east corner of Lot 1, as shown on the said registered Plan Number 1148; THENCE North 16 degrees 49 minutes East, eighty-eight feet (88') to a stake, planted;

THENCE North 82 degrees 18 minutes East, sixty-seven and twenty-five hundredths feet (67.25') to a stake planted;

THENCE South 73 degrees 25 minutes East, twenty-four feet (24') to an iron bar planted;

THENCE North sixteen degrees 49 minutes East, one hundred and fifty-five feet (155'), more or less, to an iron bar planted in the northern limit of the aforesaid Lot 3;

THENCE North 73 degrees 25 minutes West, along the Northern limit of Lots 1 and 3, aforesaid, one hundred and ninety-eight feet (198') to a stake planted at the north-west corner of the aforesaid lot 1;

THENCE South 16 degrees 49 minutes West, along the western limit of the aforesaid Lot 1 and being along the eastern limit of Pearl Street, two hundred and sixty-eight and twenty-nine hundredths feet (268.29') more or less to a cross cut in concrete marking the south-west corner thereof;

THENCE South 72 degrees 16 minutes East, along the southern limit of the aforesaid Lot 1, one hundred and thirteen feet (113') more or less to the place of beginning.-----

BY-LAW NO. 79 - 262
TO ESTABLISH LISGAR COURT

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to establish the highway known as Lisgar Court, at a width, in part, of less than 20 metres.

AND WHEREAS the lands required for such purposes are owned by The Corporation of the City of Hamilton.

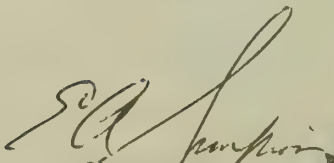
AND WHEREAS Section 450 of the said The Municipal Act requires that the Council may not lay out any highway less than 20 metres wide without the approval of the Minister of Housing.

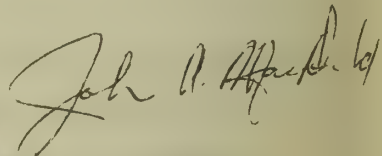
AND WHEREAS the Honourable Claude F. Bennett, the Minister of Housing has, by document dated August 21, 1979 (copy of which is attached hereto as Schedule "A"), granted approval to the laying out of Lisgar Court as described herein.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "B" appended hereto are hereby established and laid out as public highway under the name "Lisgar Court".
2. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 11th day of September A.D. 1979.


City Clerk


Mayor





Ministry of Housing
Plans Administration Division

-699-

09/11/79

56 Wellesley St. West,
8th Floor
Toronto, Ontario
M7A 2K4

SCHEDULE "A"

APPROVAL IS HEREBY GIVEN UNDER SECTION 450 OF THE MUNICIPAL ACT TO THE LAYING OUT OF LISGAR COURT IN THE CITY OF HAMILTON, REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH AT LESS THAN 66 FEET IN WIDTH. THE LANDS TO BE LAID OUT AT A REDUCED WIDTH ARE SHOWN AS PARTS 6 AND 9 ON PLAN 62R-4821 DEPOSITED IN THE LAND REGISTRY OFFICE FOR THE REGISTRY DIVISION OF WENTWORTH (No. 62) ON THE 23RD OF MAY 1979.

DATED AT TORONTO THIS ^{21st} DAY OF *August* 1979.

CLAUDE F. BENNETT
MINISTER

SCHEDULE "B"

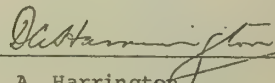
Description for By-law to Establish
Lisgar Court - Summerlea Drive southerly

First:-

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 3, Concession 6, Township of Barton and which said parcel may be more particularly described as all of Part 6 according to a Reference Plan received and deposited in the Land Registry Office for the Registry Division of Wentworth on May 23rd, 1979, as Plan 62R-4821.

Secondly:-

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Block 'A' according to Kingsberry Estates (Phase 1) filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-185, and which said parcel may be more particularly described as all of Part 9 according to a Plan of Record filed in the said Land Registry Office on May 23rd, 1979, as Plan 62R-4821.


D. A. Harrington,
Ontario Land Surveyor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 263

To Amend:

By-law No. 78-271

Respecting:

LAND LOCATED ON THE NORTH SIDE OF FENNELL AVENUE,
IN THE AREA EAST OF UPPER OTTAWA STREET

WHEREAS By-law No. 78-271, passed on the 10th day of October, 1978, rezoned the land comprised in Block 1 shown on schedule "A" thereto from "B" (Suburban Agriculture and Residential, etc.) district to "H" (Community Shopping and Commercial, etc.) district and provided that the "H" District provisions applicable to Blocks 1 and 2 shown on the said schedule "A" shall be subject to development control;

AND WHEREAS the Ontario Municipal Board provided in its disposition of the hearing held on April 10, 1979 following application by the City for approval of By-law No. 78-271, as follows:

"Application is approved. B/L 78-271 is approved. By-law to be amended by addition of Site Plan Schedule generally according to Ex. 3. When submitted to Board, amending By-law will be approved without further notice or hearing. Board's order will then issue for 78-271 and amending By-law.";

AND WHEREAS schedule "B" annexed hereto and forming part of this by-law is generally in accordance with Ex. 3;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2 of By-law No. 78-271 is repealed and the following substituted therefor:

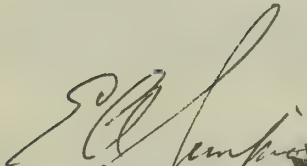
2. The "H" District provisions applicable to the lands referred to in section 1, and Block 2 shown on schedule "A", are amended to the extent only of the special requirements shown on a site plan hereto annexed as schedule "B".

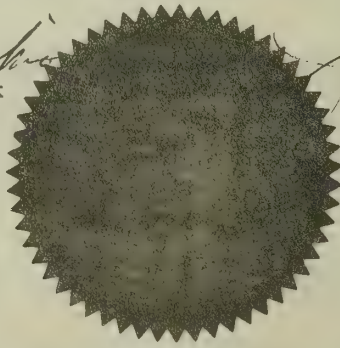
2. Section 3 of By-law No. 78-271 is repealed and the following substituted therefor:

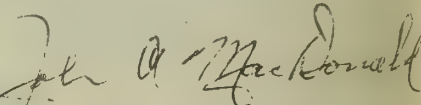
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions and in conformity with the details of development and content of schedule "B".

3. Schedule "B" hereto annexed shall be annexed as schedule "B" to By-law No. 78-271.

PASSED this 11th day of September A.D. 1979.


City Clerk




Mayor

(1979) 30 R.P.D.C. 5, September 11
Z.A. 78-43



DEVELOPMENT DETAILS

FOR INFORMATION ONLY

BUILDING AREAS	
BUILDING A	7,829 SQ. FT.
GROUND FLOOR	5,844 SQ. FT.
SECOND FLOOR	1,985 SQ. FT.
TOTAL AREA	10,127 SQ. FT.
BUILDING B (EXISTING)	
GROUND FLOOR	45,400 SQ. FT.
TOTAL AREA	45,400 SQ. FT.
BUILDING C	
GROUND FLOOR	10,389 SQ. FT.
SECOND FLOOR	9,844 SQ. FT.
TOTAL AREA	19,337 SQ. FT.
BUILDING D	
GROUND FLOOR	17,400 SQ. FT.
SECOND FLOOR	18,400 SQ. FT.
TOTAL AREA	35,800 SQ. FT.
TOTAL BUILDING AREA	94,670 SQ. FT. (2,340 M ²)

AREA ALLOTMENT

COMMERCIAL / RETAIL 74,200 SQ. FT. (MAX.)
 ASSEMBLY 10,500 SQ. FT. (MAX.)

PARKING REQUIRED

PER 1,000 SQ. FT. OF FLOOR AREA, 1 SPACE / 1,000 SQ. FT. REQUIRED
 94,670 SQ. FT. FLOOR AREA REQUIRES 95 SPACES
 100 SPACES PROVIDED

ASSEMBLY

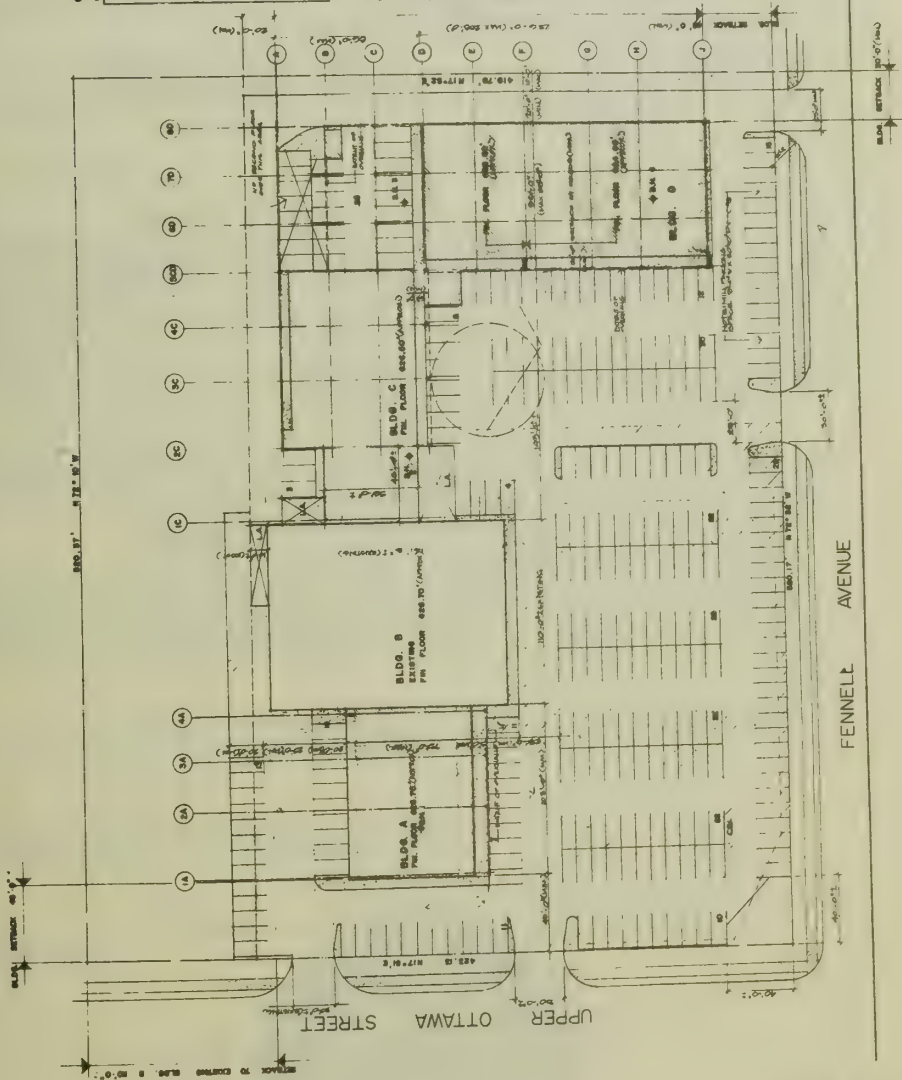
1 SPACE / 10 PEOPLE
 POPULATION 1,000
 TOTAL PARKING REQUIRED 100 SPACES
 100 SPACES PROVIDED

LEGEND

- B.A. 1 BASE HOLE #1 (SEE SOL. INVESTIGATION REPORT)
- B.A. 2 BASE HOLE #2 (SEE SOL. INVESTIGATION REPORT)
- B.A. 3 BASE HOLE #3 (SEE SOL. INVESTIGATION REPORT)
- B.A. 4 BASE HOLE #4 (SEE SOL. INVESTIGATION REPORT)
- B.A. 5 BASE HOLE #5 (SEE SOL. INVESTIGATION REPORT)
- B.A. 6 BASE HOLE #6 (SEE SOL. INVESTIGATION REPORT)
- B.A. 7 BASE HOLE #7 (SEE SOL. INVESTIGATION REPORT)
- B.A. 8 BASE HOLE #8 (SEE SOL. INVESTIGATION REPORT)
- B.A. 9 BASE HOLE #9 (SEE SOL. INVESTIGATION REPORT)
- B.A. 10 BASE HOLE #10 (SEE SOL. INVESTIGATION REPORT)
- B.A. 11 BASE HOLE #11 (SEE SOL. INVESTIGATION REPORT)
- B.A. 12 BASE HOLE #12 (SEE SOL. INVESTIGATION REPORT)
- B.A. 13 BASE HOLE #13 (SEE SOL. INVESTIGATION REPORT)
- B.A. 14 BASE HOLE #14 (SEE SOL. INVESTIGATION REPORT)
- B.A. 15 BASE HOLE #15 (SEE SOL. INVESTIGATION REPORT)
- B.A. 16 BASE HOLE #16 (SEE SOL. INVESTIGATION REPORT)
- B.A. 17 BASE HOLE #17 (SEE SOL. INVESTIGATION REPORT)
- B.A. 18 BASE HOLE #18 (SEE SOL. INVESTIGATION REPORT)
- B.A. 19 BASE HOLE #19 (SEE SOL. INVESTIGATION REPORT)
- B.A. 20 BASE HOLE #20 (SEE SOL. INVESTIGATION REPORT)
- B.A. 21 BASE HOLE #21 (SEE SOL. INVESTIGATION REPORT)
- B.A. 22 BASE HOLE #22 (SEE SOL. INVESTIGATION REPORT)
- B.A. 23 BASE HOLE #23 (SEE SOL. INVESTIGATION REPORT)
- B.A. 24 BASE HOLE #24 (SEE SOL. INVESTIGATION REPORT)
- B.A. 25 BASE HOLE #25 (SEE SOL. INVESTIGATION REPORT)
- B.A. 26 BASE HOLE #26 (SEE SOL. INVESTIGATION REPORT)
- B.A. 27 BASE HOLE #27 (SEE SOL. INVESTIGATION REPORT)
- B.A. 28 BASE HOLE #28 (SEE SOL. INVESTIGATION REPORT)
- B.A. 29 BASE HOLE #29 (SEE SOL. INVESTIGATION REPORT)
- B.A. 30 BASE HOLE #30 (SEE SOL. INVESTIGATION REPORT)
- B.A. 31 BASE HOLE #31 (SEE SOL. INVESTIGATION REPORT)
- B.A. 32 BASE HOLE #32 (SEE SOL. INVESTIGATION REPORT)
- B.A. 33 BASE HOLE #33 (SEE SOL. INVESTIGATION REPORT)
- B.A. 34 BASE HOLE #34 (SEE SOL. INVESTIGATION REPORT)
- B.A. 35 BASE HOLE #35 (SEE SOL. INVESTIGATION REPORT)
- B.A. 36 BASE HOLE #36 (SEE SOL. INVESTIGATION REPORT)
- B.A. 37 BASE HOLE #37 (SEE SOL. INVESTIGATION REPORT)
- B.A. 38 BASE HOLE #38 (SEE SOL. INVESTIGATION REPORT)
- B.A. 39 BASE HOLE #39 (SEE SOL. INVESTIGATION REPORT)
- B.A. 40 BASE HOLE #40 (SEE SOL. INVESTIGATION REPORT)
- B.A. 41 BASE HOLE #41 (SEE SOL. INVESTIGATION REPORT)
- B.A. 42 BASE HOLE #42 (SEE SOL. INVESTIGATION REPORT)
- B.A. 43 BASE HOLE #43 (SEE SOL. INVESTIGATION REPORT)
- B.A. 44 BASE HOLE #44 (SEE SOL. INVESTIGATION REPORT)
- B.A. 45 BASE HOLE #45 (SEE SOL. INVESTIGATION REPORT)
- B.A. 46 BASE HOLE #46 (SEE SOL. INVESTIGATION REPORT)
- B.A. 47 BASE HOLE #47 (SEE SOL. INVESTIGATION REPORT)
- B.A. 48 BASE HOLE #48 (SEE SOL. INVESTIGATION REPORT)
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- B.A. 97 BASE HOLE #97 (SEE SOL. INVESTIGATION REPORT)
- B.A. 98 BASE HOLE #98 (SEE SOL. INVESTIGATION REPORT)
- B.A. 99 BASE HOLE #99 (SEE SOL. INVESTIGATION REPORT)
- B.A. 100 BASE HOLE #100 (SEE SOL. INVESTIGATION REPORT)

NOTES: 1. PLOT BORN TO BE LOCATED IN ACCORDANCE WITH BY-LAW 100.

2. SITE INFORMATION OBTAINED FROM BUREAU PLAN 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



Bill No. 268

This is Schedule "B" to By-law No. 79-263 passed the 11th day of September, 1979.

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
 City Clerk

[Signature]
 Mayor

Bill No. 267

BY-LAW No. 79- 264

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11TH DAY OF SEPTEMBER A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

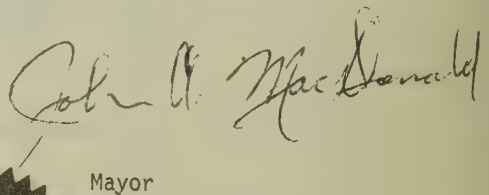
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 11th day of September . A.D., 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 265

To Amend:

By-law No. 77-28

Respecting:

LAND LOCATED AT MUNICIPAL NO. 681 UPPER JAMES STREET
AND THE REAR PART OF NO. 118 ALLENBY AVENUE

WHEREAS By-law No. 77-28, passed on the 8th day of February, 1977, rezoned the aforesaid land from "G-1" (Designed Shopping Centre) district and "C" (Urban Protected Residential, etc.) district to "G" (Neighbourhood Shopping Centre, etc.) district;

AND WHEREAS the Ontario Municipal Board's Decision (R 772526) provided as follows:

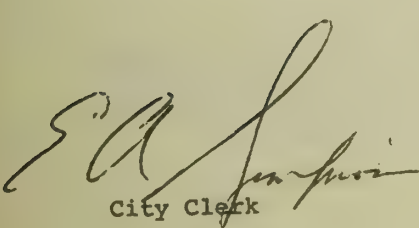
"...the Board will approve the by-law without further notice or hearing if and when it is amended to reduce the height to two-storeys and if the closed wood fence and proper landscaping and other buffering is provided by the development agreement. There are to be fourteen parking spaces provided."

AND WHEREAS it is intended to amend By-law No. 77-28 so as to limit the height of the building to two storeys.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraph 1 of section 2 of By-law No. 77-28 is repealed.

PASSED this 25th day of September 1979.


City Clerk


Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79- 266

To Amend:

By-law No. 79-144

Respecting:

FORMS OF APPLICATION FOR ADULT ENTERTAINMENT PARLOUR LICENCES

WHEREAS By-law No. 79-144, passed on the 8th day of May, 1979, authorized the licensing, regulating and governing of adult entertainment parlours;

AND WHEREAS it is desirable to establish prescribed forms for application and other information under this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause (b) of subsection 5 of section 27 of schedule 1.01 of By-law No. 79-144 is amended by striking out the numerals "43" in the last line and inserting in lieu thereof "28 and 29".

2. (1) Clause (b) of subsection 1 of section 28 of schedule 1.01 of the said By-law is amended by striking out "in a form" in the first line and substituting in lieu thereof "in Form 5".

(2) Schedule 1.01 of the said By-law is amended by adding the following sections thereto:

28a. (1) An application for a licence by an owner shall be in Form 1.

(2) An application for a licence by an operator shall be in Form 2.

(3) An application for a licence by an operator that is a corporation shall be in Form 3.

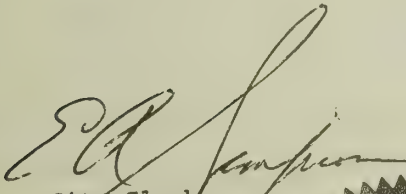
(4) An application for a licence by an attendant shall be in Form 4.

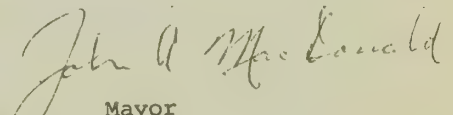
28b. Notwithstanding any other provisions of this by-law, the Forms referred to in section 28a shall be used only as applications for Classes "F", "G", "H", "I", "J" and "K" licences.

(3) The Forms referred to in subsections 1 and 2 are hereto annexed and shall form part of the said By-law.

3. Clause (a) of paragraph 18 of section 38 of schedule 1.01 of the said By-law is amended by striking out "pass" in the first line and substituting in lieu thereof "past".

PASSED this 25th day of September A.D. 1979.


City Clerk


Mayor



(1979) 11 R.L.F.C. 11, September 25

FORM 1

The Corporation of the City of Hamilton

By-law No. 79-144

APPLICATION BY AN OWNER

For a Class "F", "G", "H", "I", "J" or "K"
Adult Entertainment Parlour Licence

1. I, _____ Telephone No. _____
(Full Legal Name)
- of _____
(Complete address of place where I ordinarily reside in Ontario)
- hereby make application under By-law No. 79-144 for a licence as
Owner on my
- (a) own behalf, operating under the name and style of:

- (b) or on behalf of the following corporation as Owner:

(Name of corporation)
- (c) or as partner in the partnership to carry on or intending
to carry on under the firm name and style of:

(Name of partnership)
2. I was born in _____ on the _____ day
of _____, 19 ____.
3. My height: _____ Weight: _____
Driver's Licence No. _____
(If Driver's Licence not issued by Ontario, state where:
_____))
4. Address of adult entertainment parlour:

5. If application is made on behalf of a corporation, state address
of head office: _____

6. If application is made by a partner, state address of partnership: _____

7. If an application is made on behalf of a corporation, partnership or a sole proprietorship,

(a) if a corporation, the principal officers are as follows:

	<u>NAME</u>	<u>OFFICE HELD</u>	<u>RESIDENCE</u>	<u>PLACE AND DATE OF BIRTH</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

(b) if a partnership, the names of all the partners who are active and inactive in carrying out the business,

	<u>NAME</u>	<u>RESIDENCE</u>	<u>PLACE AND DATE OF BIRTH</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____

(c) if on your own behalf as a sole proprietorship, the name and address of the proprietor is the same as the applicant or _____

8. If application is made on behalf of a corporation or partnership,

(a) if a corporation, describe applicant's office or position held: _____

(b) if a partnership, describe applicant's duties or responsibilities in operating the business: _____

9. The shares in the corporation _____
(Name)
on whose behalf I am applying for a licence are held or owned
in whole or in part by another corporation:

(Name and address of head office of corporation)
10. Neither the corporation on whose behalf this application is made
nor any of its officers has been convicted of any offence any-
where, except as follows: _____
(State offence)

(Where convicted and penalty)
11. Neither I nor any of my partners has been convicted of any
offence anywhere, except as follows: _____
(State offence)

(Where convicted and penalty)
12. I have never been convicted of any offence anywhere, except as
follows: _____
(State offence, where convicted and penalty)
13. The corporation or partnership on whose behalf this application
is made (will) or (will not) be operating its own adult enter-
tainment parlour. The following will operate the adult enter-
tainment parlour on my behalf: _____
(Name)

(Address)
who has applied or is a licensed operator under Licence Number
_____, issued on the _____ day of _____, 19____.
14. I (will) or (will not) be operating my own adult entertainment
parlour. The following will operate the adult entertainment
parlour on my behalf: _____
(Name)

(Address)
who has applied for or is a licensed operator under Licence Number
_____, issued on the _____ day of _____, 19____.

15. Neither the corporation on whose behalf this application is made nor its officers has ever held any kind of licence issued by a municipality, nor had a licence refused nor cancelled, except as follows:

(Name of municipality, type of licence, reasons for refusal or
cancellation)

16. The (corporation), (partnership), (I), will be operator of the adult entertainment parlour commencing _____
(Date)

(Name and address where adult entertainment parlour is to do
business)

17. The (corporation), (partnership), (I), have not previously owned an adult entertainment parlour, except as follows:

(State names and addresses of adult entertainment parlours)

18. To the present, the premises on which an adult entertainment parlour is to be carried on has been used as, (type of business, private residence, etc. If vacant, how long?)

19. I, _____, do hereby declare that the information given in this application and any supporting documents is true, correct and complete in every respect, AND I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of THE CANADA EVIDENCE ACT.

DECLARED before me at the City)
of Hamilton, in the Regional)
Municipality of Hamilton-)
Wentworth,)

this day of)
19)

(Signature of Applicant)

.....)
(A Commissioner, etc.))

FORM 2

The Corporation of the City of Hamilton

By-law No. 79-144

APPLICATION BY AN OPERATOR

For a Class "F", "G", "H", "I", "J" or "K"
Adult Entertainment Parlour Licence

1. I, _____ Telephone No. _____
(Full Legal Name)
of _____
(Complete address of place where I ordinarily reside in Ontario)
hereby make application under By-law No. 79-144 for an Operator's licence.
2. I was born in _____ on the _____ day of _____, 19____.
3. My height: _____ Weight: _____
Driver's Licence No. _____
(If Driver's Licence not issued by Ontario, state where: _____)
4. I have never held any kind of licence issued by any municipality or had a licence refused or cancelled, except as follows:

(State name of municipality, type of licence, reasons for refusal or cancellation)

5. I will be operating an adult entertainment parlour at:

(Complete address)
for _____
(Name and address of owner)

whose Licence Number under By-law No. 79-144 is _____
6. The name of the adult entertainment parlour I will be operating is _____

FORM 2 - Page 2

7. I have not previously operated an adult entertainment parlour, except as follows:

(State names and addresses of adult entertainment parlours)

8. I intend to carry out my trade, calling or occupation as an Operator commencing _____, at _____
(Date)

(Name and address of adult entertainment parlour to be operated)

9. I have never been convicted of any offence anywhere, except as follows: _____
(State offence, where convicted, and penalty)

10. My address for all mail to be sent to me is: _____

11. I, _____, do hereby declare that the information given in this application and any supporting documents is true, correct and complete in every respect, AND I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of THE CANADA EVIDENCE ACT.

DECLARED before me at the City)
of Hamilton, in the Regional)
Municipality of Hamilton-)
Wentworth,)
)

this day of)
19 .)

(Signature of Applicant)

.....)
(A Commissioner, etc.))

FORM 3

The Corporation of the City of Hamilton

By-law No. 79-144

APPLICATION BY AN OPERATOR (CORPORATION)

For a Class "F", "G", "H", "I", "J" or "K"
Adult Entertainment Parlour Licence1. I, _____, Telephone No. _____
(Full Legal Name)of _____
(Complete address of place where I ordinarily reside in Ontario)hereby make application under By-law No. 79-144 for a licence on
behalf of the following corporation as Operator: _____

(Name of corporation)

2. I was born in _____ on the _____ day of
_____, 19____.

3. My height: _____ Weight: _____

Driver's Licence No. _____

(If Driver's Licence not issued by Ontario, state where:
_____)4. Address where corporation will be operating an adult entertain-
ment parlour: _____

5. Head office of corporation: _____

6. Principal Officers of corporation:

	<u>NAME</u>	<u>OFFICE HELD</u>	<u>RESIDENCE</u>	<u>PLACE AND DATE OF BIRTH</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

7. I hold the following office or position in the corporation:

9. Neither the corporation on whose behalf this application is made nor any of its officers has been convicted of any offence anywhere, except as follows: (1) offence where convicted and penalty)

10. Neither the corporation on whose behalf this application is made, nor its officers has ever held any kind of licence issued by a municipality or had a licence refused or cancelled, except as follows:

11. The corporation on whose behalf this application is made will
operate the adult entertainment parlour commencing _____
(Date)

12. The corporation on whose behalf this application is made has not previously operated an adult entertainment parlour, except as follows: _____

13. I, _____, do hereby declare that the information given in this application and any supporting documents is true, correct and complete in every respect, AND I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of THE CANADA EVIDENCE ACT.

19)
) (Signature of Applicant)

(A Commissioner, etc.)

FORM 4

The Corporation of the City of Hamilton

By-law No. 79-144

APPLICATION BY AN ATTENDANT

For a Class "F", "G", "H", "I", "J" or "K"
Adult Entertainment Parlour Licence

1. I, _____, Telephone No. _____
(Full Legal Name)
of _____
(Complete address of place where I ordinarily reside in Ontario)
hereby make application under By-law No. 79-144 for an Attendant's
licence.
2. I was born in _____ on the _____ day of
_____, 19____.
3. My height: _____ Weight: _____
Driver's Licence No. _____
(If Driver's Licence not issued by Ontario, state where:
_____)
4. I am Married _____, Single _____, and have _____ adults and
_____ children dependent on me for support and maintenance and
I have resided in the City of Hamilton, or _____,
since _____.
5. I have never held any kind of licence issued by any municipality
or had a licence refused or cancelled, except as follows:

(State name of municipality, type of licence, reasons for
refusal or cancellation)

6. I will be working at _____
(Address)
for _____
(Name of Owner or Operator)
whose Licence Number under By-law No. 79-144 is: _____

7. I intend to carry out my trade, calling or occupation as an attendant under the name of _____ and have first used this name since _____ (Date) in connection with _____ (Trade, calling, occupation or other activity)

8. I have previously worked as an attendant at the following places:

	<u>ADDRESS</u>	<u>NAME OF OWNER</u>	<u>NAME OF MANAGER</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

9. I will be carrying out my trade, calling or occupation as an attendant commencing _____, at _____ (Date)

(Name and address where attendant services to be performed by applicant)

10. I have never been convicted of any offence anywhere, except as follows: _____ (State offence, where convicted and penalty)

11. My address for all mail to be sent to me is: _____

12. I, _____, do hereby declare that the information given in this application and any supporting documents is true, correct and complete in every respect, AND I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of THE CANADA EVIDENCE ACT.

DECLARED before me at the City)
of Hamilton, in the Regional)
Municipality of Hamilton-)
Wentworth,)
this day of)
19)
) (Signature of Applicant)
.....)
(A Commissioner, etc.))

FORM 5

The Corporation of the City of Hamilton

By-law No. 79-144

(Schedule 1.01, section 28)

SHAREHOLDER'S RETURN OF COMPANY HOLDING SHARES IN APPLICANT

For a Class "F", "G", "H", "I", "J" or "K"

Adult Entertainment Parlour Licence

1. I, _____, Telephone No. _____
 (Full Legal Name)

of _____
 (Complete address where I ordinarily reside in Ontario)

am an Officer of _____
 (Name of holding corporation)

_____ (Place of Incorporation)

2. The corporation named in paragraph 1, above, owns shares directly or indirectly in the following corporation:

_____ (Name and head office of corporation)

_____ that has applied for a licence under By-law No. 79-144.

3. The shareholders of the corporation named in paragraph 1, above, are as follows:

	<u>NAME</u>	<u>RESIDENCE</u>	<u>NUMBER OF SHARES HELD</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____

4. There are no other shareholders other than those listed in paragraph 3, above.

5. I, _____, do hereby declare that the information given in this application and any supporting documents is true, correct and complete in every respect, AND I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of THE CANADA EVIDENCE ACT.

DECLARED before me at the City)
 of Hamilton, in the Regional)
 Municipality of Hamilton-)
 Wentworth,)

this day of)

19)

 (Signature of Shareholder)

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 267

To Amend:

Licensing By-law No. 73-342

Respecting:

LICENCES

WHEREAS By-law No. 73-342, passed on the 18th day of December, 1973 and in force on the 1st day of January, 1974, provides for the licensing of trades, callings, businesses or occupations;

AND WHEREAS section 242 of The Municipal Act, R.S.O. 1970, Chapter 284 provides that every council may pass such by-laws and make such regulations for the health, safety, morality and welfare of the inhabitants of the municipality in matters not specifically provided in The Municipal Act;

AND WHEREAS The Municipal Act does not specifically provide for the conditions or circumstances respecting which licences may be issued, refused, renewed, transferred, suspended or revoked.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clauses (g) and (h) of subsection 1 of section 1 of By-law No. 73-342 are repealed and the following substituted therefor:

- (g) "Issuer of Licence" means the Licence Administrator authorized to provide licences issued, renewed or transferred by the Licence Committee;
- (h) "Licence Committee" means the licensing committee established under By-law No. 78-224;
- (ha) "public interest" includes,
 - (i) promotion or advancement of the good of the inhabitants of the City or any part thereof; or
 - (ii) avoidance of things, occasions, occurrences or opportunities hurtful to the comfort or interest of the inhabitants of the City or any part thereof,

but does not include circumstances of mere convenience, whim, or caprice;

2. Subsections 1 and 2 of section 7 of By-law No. 73-342 are repealed and the following substituted therefor:

7. (1) Upon receipt of a licence application and fees and before renewal or transfer of a licence, the Licence Committee may cause to be made all such investigations as it requires and shall consider the results of the investigations before determining whether or not the licence should be issued, renewed or approved for transfer.

(2) If the investigation does not disclose any reason to believe that,

- (a) the applicant's character may not be good; or
- (b) the carrying on of the trade, calling, business or occupation may result or will result in a breach of the law or a by-law of the city; or
- (c) the trade, calling, business or occupation may be contrary to the public interest,

the Licence Committee shall approve the application, renewal or transfer.

(3) If the investigation discloses any reason to believe that,

- (a) the applicant's character may not be good; or
- (b) the carrying on of the trade, calling, business or occupation may result or will result in a breach of the law or a by-law of the city; or
- (c) the trade, calling, business or occupation may be contrary to the public interest,

the Licence Committee shall not issue a licence.

(4) The Licence Committee shall, in considering the application for a licence, or a renewal of a licence, or a transfer of a licence, take into account the following:

- 1. The character of the applicant.
- 2. Whether the carrying on of the trade, calling, business or occupation may result or will result in a breach of the law or a by-law of the city.

3. Whether the carrying on of the trade, calling, business or occupation by the applicant may be contrary to the public interest.
4. Any other matter relating to the carrying on of a trade, calling, business or occupation that the Licence Committee requires to be considered.

3. Section 13 of the said By-law is repealed and the following substituted therefor:

13. The Licence Committee may suspend or revoke a licence,

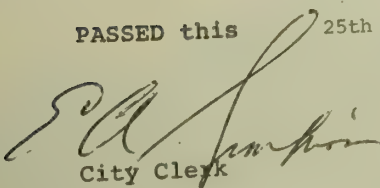
- (a) where the character of the licensee is such that it may,
 - (i) provide or provides or appears to provide an adverse reputation to the trade, calling, business or occupation;
 - (ii) result or results or appears to result in acts or omissions adverse to good trade, calling, business or occupation practices;
- (b) where the carrying on of the trade, calling, business or occupation by the licensee may result or results,
 - (a) in a breach of the law or any other by-law of the City; or
 - (b) in a breach of any provision of this by-law or any schedule thereof;
- (c) where the carrying on of the trade, calling, business or occupation is contrary to the public interest;
- (d) where the licensee has been convicted of an offence under section 15.

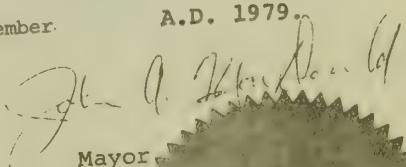
4. Section 15 of the said By-law is repealed and the following substituted therefor:

15. Every person who contravenes any provision of this by-law is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.00 exclusive of costs.

PASSED this 25th day of September.

A.D. 1979.


City Clerk


Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 268

To Amend:

By-law No. 77-244

Respecting:

FAILURE TO MAINTAIN FENCES AND GATES AROUND SWIMMING POOLS

WHEREAS By-law No. 77-244, passed on the 27th day of September, 1977, under paragraph 24 of subsection 1 of section 354 of The Municipal Act, R.S.O. 1970, as amended by S.O. 1973, Chapter 175, section 5, provides for regulations for fences around private swimming pools;

AND WHEREAS it is desirable to provide for enforcing of things to be done under By-law No. 77-244.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 77-244 is amended by adding thereto the following sections:

(8a) Where the owner of the privately owned outdoor swimming pool fails to erect or maintain a fence or gate around the swimming pool or places water in the pool or allows the water to remain in the pool where a fence or gate is not erected or maintained, the council may immediately,

(a) erect or maintain the fence and any gate;

(b) remove all water from the swimming pool until the required fence or gate is erected or maintained in accordance with this by-law,

and the work shall be done at the expense of the owner.

(8b) The expense incurred in doing the work mentioned in subsection 8a shall be recovered by the corporation in like manner as municipal taxes.

PASSED this 25th day of September

A.D. 1979.

[Signature]
City Clerk

[Signature]
Mayor

BY-LAW NO. 79 - 269

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 23 (Hamilton Street Railway Bus Stops) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended;

(a) by adding to the Inbound Column of the Sanatorium Table the following item, namely:-

"Hess at Duke".

(b) by adding to the Upper Kenilworth Table the following items, namely:-

OUTBOUND

"Upper Kenilworth opp.
Field House (MB)

INBOUND

"Upper Kenilworth at
Field House (MB)".

2. Schedule 25 (Parking Time Limits) is hereby amended by adding to Section 5 (One Hour Limit, 8:00 AM- 6:00 PM, Monday to Saturday) the following item, namely:-

"Churchill South Upper James to Prince George".

3. Schedule 25A (Parking Time Limits) is hereby amended by adding to Section 5 (One Hour Limit, 8:00 AM-6:00 PM, Monday to Friday), the following item, namely:-

"West 4th West Wembley to McElroy".

4. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following items, namely:-

"West 4th East Fennell to Wembley
Churchill North Wavell to Upper James",

and by adding thereto the following items, namely:-

"West 4th East Fennell to McElroy
Churchill North Upper James to Prince George
Lottridge West Biggar to 82 ft. southerly".

PASSED this 25th day of September , 1979 A.D.

[Signature]
City Clerk

[Signature]
Mayor



BY-LAW NO. 79 - 270

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended by adding thereto the following items, namely:-

"Colcrest	Westbound	Bow Valley
Colcrest	Eastbound	Highridge
Highridge	Westbound	Seabrook
Prins	Northbound	Colcrest
Seabrook	Southbound	Colcrest
Sunset	Westbound	Breadalbane".

2. Schedule 15 (Designated Traffic Lanes) is hereby amended;

(a) by adding thereto the following item, namely:-

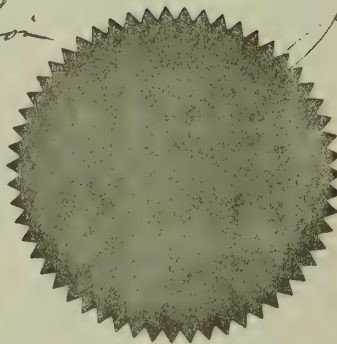
"Centennial	Violet Drive to 200 ft. north of Delawana Drive	Centre Lane	Anytime	Southerly to easterly and northerly to westerly".
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(b) by deleting therefrom the following item, namely:-

"King William	100 ft. east of Ferguson and Ferguson	2nd lane from north curb	Anytime	Westerly to southerly".
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PASSED this 25th day of September , 1979 A.D.

[Signature]
City Clerk



[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 271

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 79 and 81 SANFORD AVENUE NORTH
AND MUNICIPAL NO. 549 WILSON STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variances as special requirements:

1. Notwithstanding section 10(1) of By-law No. 6593, a bakery shall be a permitted use.
2. Outside storage is hereby prohibited.
3. Alteration of the exterior of the buildings situate on the land is hereby prohibited.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1.

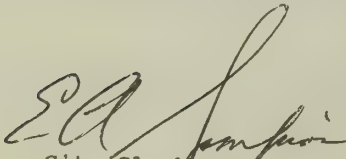
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-671".

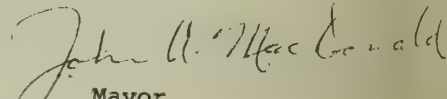
4. Sheet No. E-22 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-671".

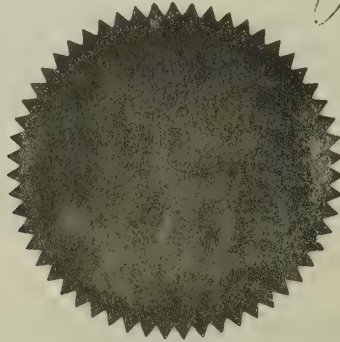
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

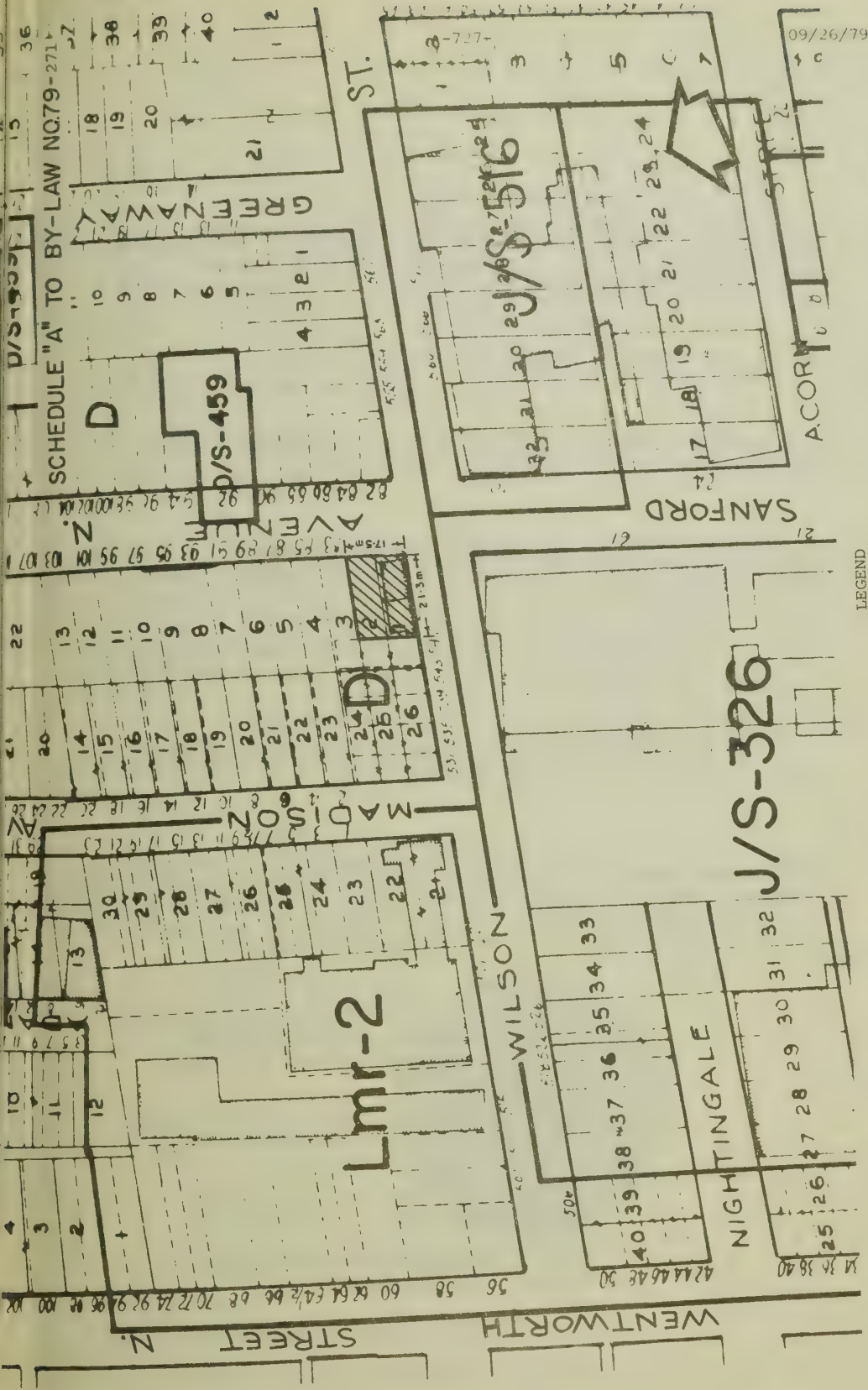
PASSED this 25th day of September A.D. 1979.


City Clerk


Mayor



(1979) 30 R.P.D.C. 1, September 11
D. DeRosa, Owner
Z.A. 79-32



LEGEND



Lands on Sheet No. E-22 of The Zoning District Maps to be regulated by By-law No. 79-271

09/26/79

Bill No. 276

This is Schedule "A" to By-law No. 79-271 passed the 25th day of September, 1979.

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON
[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 272

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 118 STINSON STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act,

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variances as special requirements:

1. Notwithstanding section 10(1) of By-law No. 6593, the existing building may be converted into a residence and two dental offices.
2. Notwithstanding section 18(3)(iv) of By-law No. 6593, not less than one parking space shall be provided and maintained,
 - (a) for each 31 square metres of floor area used for dental offices; and
 - (b) one parking space for each single family dwelling unit.
3. No sign shall be provided and maintained that,
 - (a) exceeds .4 square metres in area; and
 - (b) is illuminated in a manner that is other than non-flashing, indirect or internal; and
 - (c) is located less than 1.5 metres from the nearest street line.

09/25/79

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions subject to the special requirements referred to in section 1.

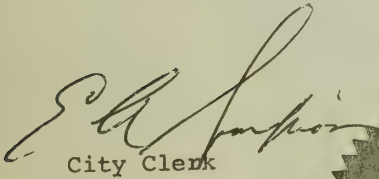
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-673".

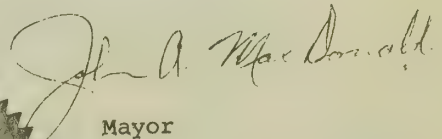
4. Sheet No. E-14 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-673".

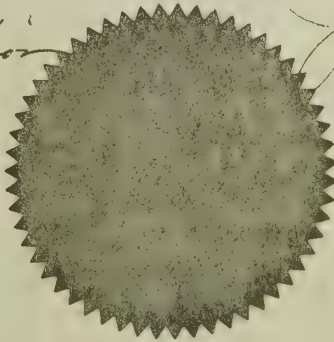
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 25th day of September A.D. 1979.


City Clerk


Mayor

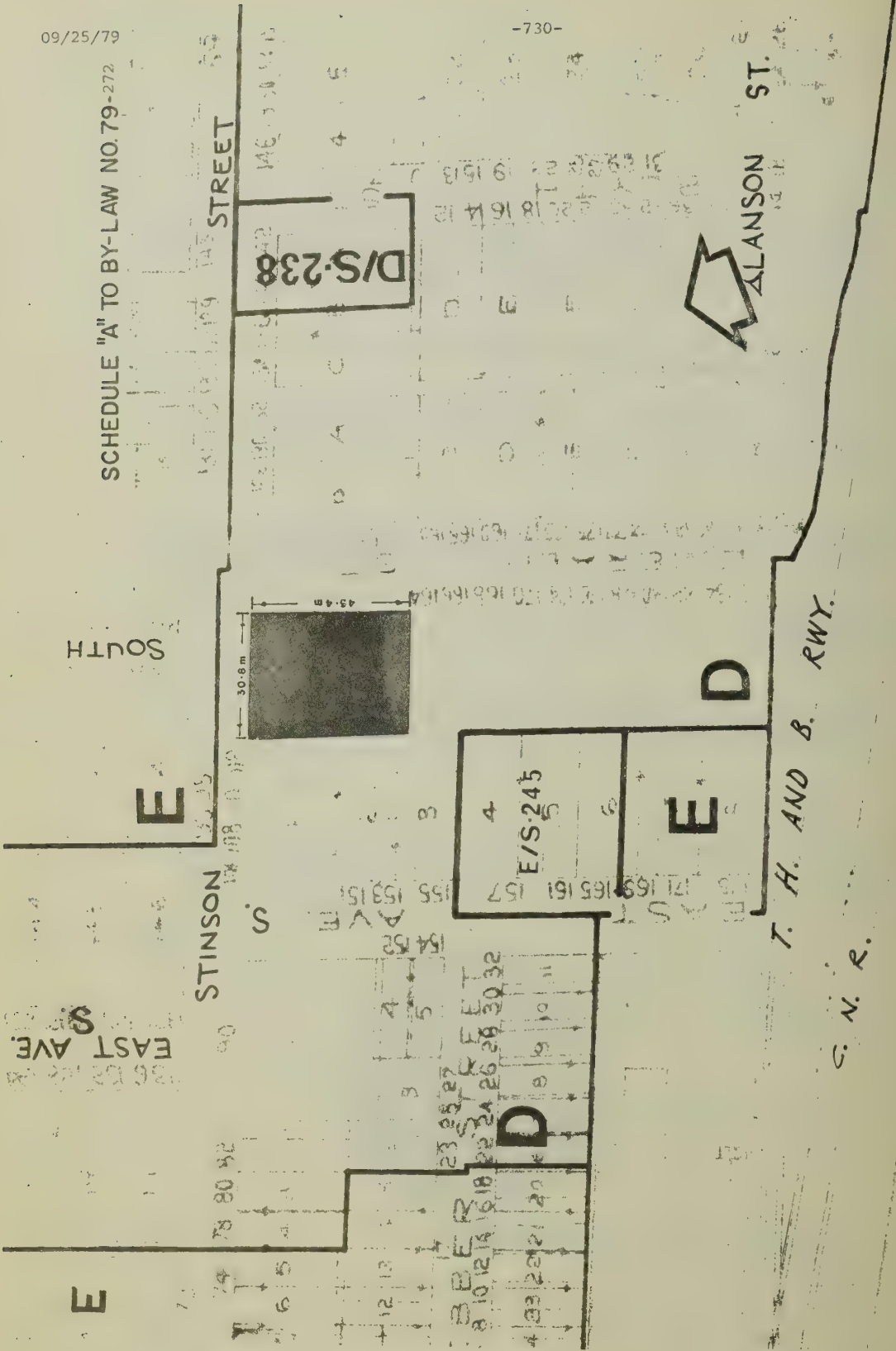


(1979) 30 R.P.D.C. 3, September 11
J.F. Chithalen, Prospective Owner
Z.A. 79-35

09/25/79

-730-

SCHEDULE "A" TO BY-LAW NO. 79-272



LEGEND

Lands on Part of Sheet No. E-14 of The Zoning District Maps to be regulated by By-law No. 79-272

Bill No. 277

This is Schedule "A" to By-law No. 79-272 passed the 25th day of September, 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 273

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 165 WENTWORTH STREET NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the land shown as Block 1 on a plan hereto annexed as schedule "A", are amended to the extent only of the following variances as special requirements:

1. Notwithstanding section 10(1) of By-law No. 6593, the land comprised in Block 1 may be used as an access driveway to the land shown on schedule "A" as Block 2.
2. There shall be provided and maintained a fence not less than 1.2 metres and not greater than 2.0 metres in height along each side lot line.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1.

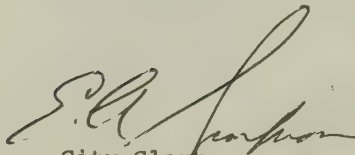
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-672".

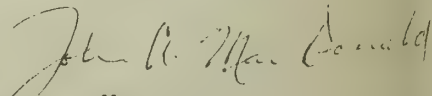
4. Sheet No. E-12 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-672".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 25th day of September A.D. 1979.


City Clerk

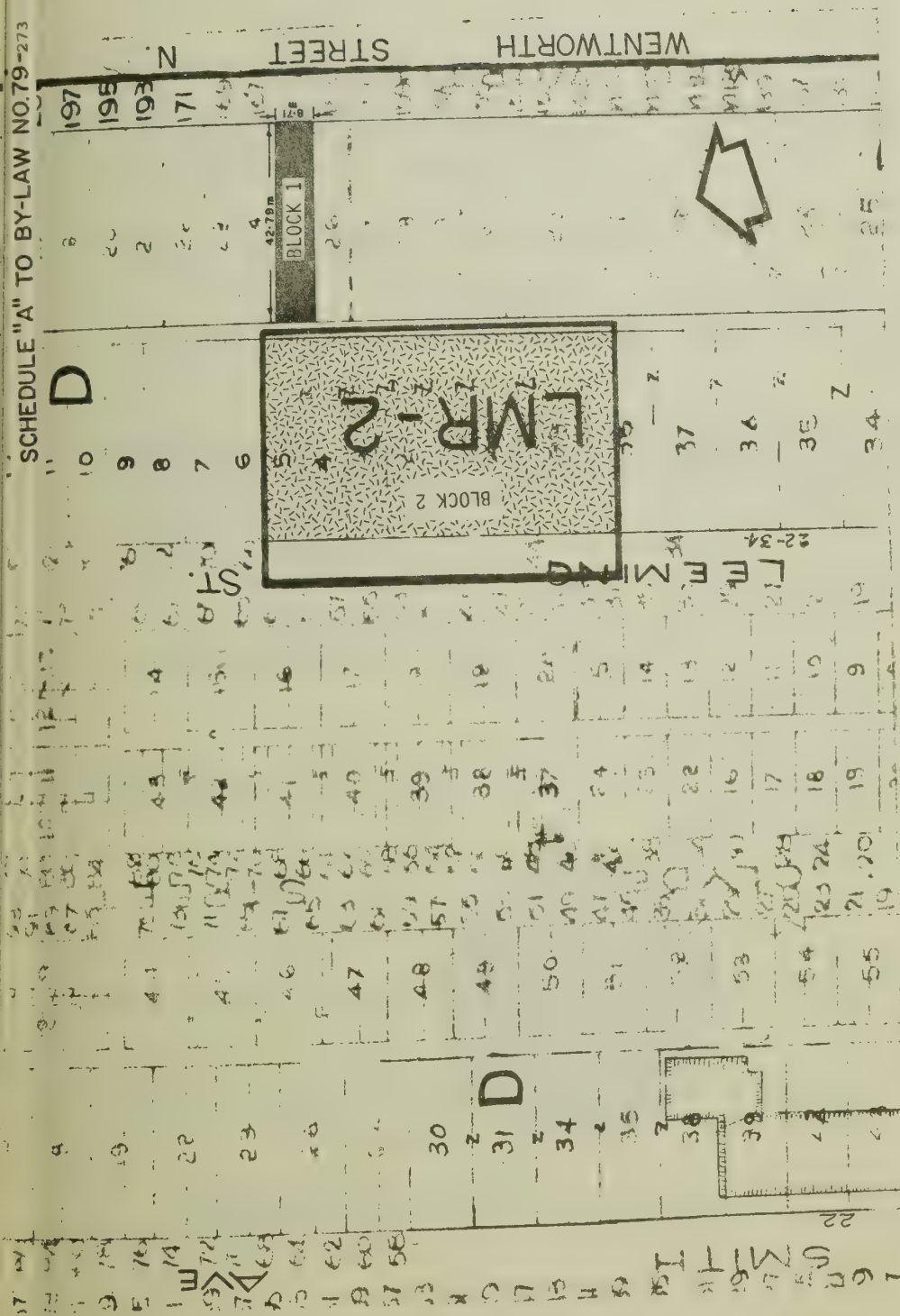

Mayor



(1979) 30 R.P.D.C. 2, September 11
307623 Ontario Limited, Owner
Z.A. 79-39

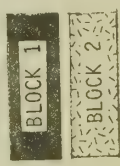
19
CITY PLANNING

SCHEDULE "A" TO BY-LAW NO. 79-273



LEGEND

Lands on Part of Sheet No. E-12 of the Zoning District Maps to be regulated by By-law No. 79- 273



Bill No. 278

This is Schedule "A" to By-law No. 79- 273 passed the 25th day of September, 1979.

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 274

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9D of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district to "AA" (Agricultural) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "AA" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variance as a special requirement:

1. Notwithstanding section 7A of By-law No. 6593, the following uses shall be permitted:

1. A garden nursery centre.
2. A fruit and vegetable market.

2. An illuminated pylon sign,

- (a) not exceeding 5.6 metres in height and 6.5 square metres in area; and

- (b) set back not less than 3 metres from the street line,

shall be permitted.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" District provisions subject to the special requirement referred to in section 2.

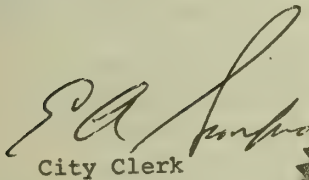
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-651".

5. Sheet No. W-9D of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-651".

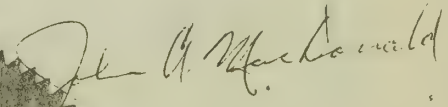
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 25th day of September A.D. 1979.


City Clerk




Mayor

(1979) 30 R.P.D.C. 4, September 11
G. and E. Ciardullo, Owners
Z.A. 79-21

09/25/79

-736-

STREET

UPPER JAMES

E/S-122

HH/S-97

HH

1500

1508

20.8m

41.8m

15.1m

15.28

1514

45.72m

1530

4.6m

AA

SCHEDULE "A" TO BY-LAW NO.79-274

PART OF LOT 15
CONCESSION 8.

LEGEND

Lands on Part of Sheet No. W-9D of The Zoning District Maps to be re-zoned from "C"
(Urban Protected Residential, etc.) District to "AA" (Agricultural) District.



Bill No. 279

This is Schedule "A" to By-law No. 79-274 passed the 25th day of September, 1979.

Ed L. Simpson
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON
John A. McNeil
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 275

To Establish:

SITE PLAN CONTROL

WHEREAS subsection 2 of section 35a of The Planning Act, R.S.O. 1970, chapter 349, as re-enacted by The Planning Amendment Act, 1979, S.O. 1970, chapter 59, section 1, provides as follows:

35a (2) Where there is an official plan in effect in a municipality, the council of the municipality may, by by-law, designate the whole or any part of the area covered by the official plan as a site plan control area, but nothing herein authorizes the council to designate an area that is not within the limits of the municipality of which it is the council;

AND WHEREAS an official plan is in effect in the City of Hamilton;

AND WHEREAS it is desirable to designate part of the area covered by the official plan as a site plan control area by reference to one or more land use designations contained in General Zoning By-law No. 6593, passed on the 25th day of July, 1950, as amended.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) The areas comprised in the classes of districts or zones for which land use designations are set out in schedule "A" hereto annexed, are hereby designated as site plan control areas.

(2) The areas comprised in the parts of the City of Hamilton set out in schedule "B" hereto annexed, are hereby designated as site plan control areas.

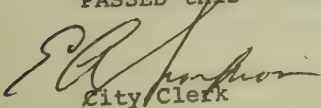
2. For the purpose of this by-law, the following classes of development mentioned in subsection 1 of section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, may be undertaken without the approval of plans and drawings otherwise required under subsection 4 of the said section 35a:

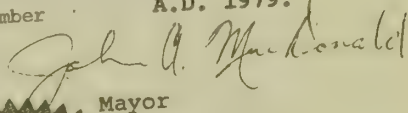
1. single family dwellings;
2. two-family dwellings.

3. This By-law comes into effect on November 1, 1979.

PASSED this 25th day of September

A.D. 1979.


City Clerk


Mayor

(1979) 31 R.P.D.C. 1(i), (ii),
September 25



SCHEDULE "A"

To By-law No. 79-275

CLASSES OF DISTRICTS OR ZONES

Section 1(1)

- "D" District - (Urban Protected Residential - One and Two Family Dwellings, etc.)
- "DE" District - (Low Density Multiple Dwellings)
- "DE-2" District - (Multiple Dwellings)
- "DE-3" District - (Multiple Dwellings)
- "E" District - (Multiple Dwellings, Lodges, Clubs, etc.)
- "E-1" District - (Multiple Dwellings, Lodges, Clubs, etc.)
- "E-2" District - (Multiple Dwellings)
- "E-3" District - (High Density Multiple Dwellings)
- "G" District - (Neighbourhood Shopping Centre, etc.)
- "G-1" District - (Designed Shopping Centre)
- "G-2" District - (Regional Shopping Centres)
- "G-3" District - (Public Parking Lots)
- "G-4" District - (Designed Neighbourhood Shopping Area)
- "HH" District - (Restricted Community Shopping and Commercial)
- "HI" District - (Civic Centre Protected)
- "RT-10" District - (Townhouse)
- "RT-20" District - (Townhouse - Maisonette)
- "RT-30" District - (Street - Townhouse)
- "CR-1" District - (Commercial-Residential)
- "CR-2" District - (Commercial-Residential)
- "CR-3" District - (Commercial-Residential)
- "M-11" District - (Prestige Industrial)
- "M-12" District - (Prestige Industrial)
- "M-13" District - (Prestige Industrial)
- "M-14" District - (Prestige Industrial)
- "M-15" District - (Prestige Industrial)

SCHEDULE "B"

To By-law No. 79-275

PARTS OF THE CITY OF HAMILTON

Section 1(2)

1. Land shown on schedule "A" to By-law No. 76-188, passed on the 29th day of June, 1976, and marked "S-473" on Sheet No. E-4 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950.

Bill No. 241

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 276

To Delegate:

COUNCIL'S POWER OR AUTHORITY
TO THE PLANNING AND DEVELOPMENT COMMITTEE

Respecting:

SITE PLAN CONTROL

WHEREAS clause (b) of subsection 10 of section 35a of The Planning Act as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1 provides as follows:

(10) Where the council of a municipality has designated a site plan control area under this section the council may, by by-law,

(b) delegate to either a committee of the council or to an appointed officer of the municipality identified in the by-law either by name or position occupied, any of the council's powers or authority under this section,.....;

AND WHEREAS it is desirable to delegate Council's powers and authority to the Planning and Development Committee, in accordance with the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,

- (a) "city" means the City of Hamilton;
- (b) "committee" means the Planning and Development Committee of the council;
- (c) "council" means the council of the city;
- (d) "owner" includes any person to whom subsection 4 of section 35a of The Planning Act applies.

2. The following powers or authority are hereby delegated to the committee:

- 1. To approve for each development in a site plan control area, one or both of the following, as the committee may determine,
 - (a) Plans, in accordance with paragraph 1 of subsection 4 of section 35a of the said Act;

- (b) Drawings, in accordance with paragraph 2 of subsection 4 of section 35a of the said Act.

2. As a condition of the approval of plans and drawings referred to in paragraph 1 of this section, to require the owner of each development in a site plan control area,
 - (a) to provide to the satisfaction of the committee and at no expense to the city any or all of the facilities and works mentioned in clause (a) of subsection 6 of section 35a of the said Act;
 - (b) to maintain to the satisfaction of the committee and at the sole risk and expense of the owner any or all of the facilities and works including all such other matters mentioned in clause (b) of subsection 6 of section 35a of the said Act;
 - (c) to enter into one or more agreements with the city in accordance with clause (c) of subsection 6 of section 35a of the said Act.
3. To require owners to register the agreements referred to in clause (c) of paragraph 2 of this section, against the land.

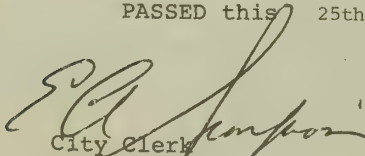
3. The Building Commissioner is hereby authorized, upon application for and after issue of a building permit under By-law No. 76-119, to ascertain compliance with,

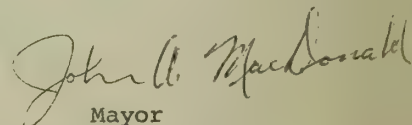
- (a) the plans and drawings approved by the committee;
- (b) the facilities and works required by the committee,

and to make recommendations to the owner for the bringing of the facilities and works into compliance.

4. This By-law comes into effect on November 1, 1979.

PASSED this 25th day of September A.D. 1979.


City Clerk


Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 277

To Repeal:

Section 19C of By-law No. 6593

Respecting:

DEVELOPMENT CONTROL

WHEREAS section 19C of By-law No. 6593, establishing development control, was enacted under section 35a of The Planning Act, R.S.O. 1970, Chapter 349, as enacted by the Statutes of Ontario, 1973, Chapter 168, section 10;

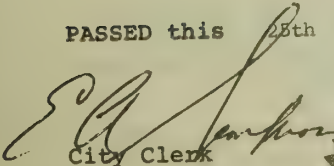
AND WHEREAS the said section 35a was repealed by section 1 of The Planning Amendment Act, 1979 and a revised section 35a was substituted therefor establishing site plan control;

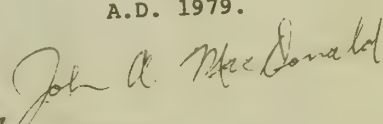
AND WHEREAS it is necessary to repeal section 19C of By-law No. 6593, as enacted and amended by the By-laws hereinafter set forth.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following By-laws are repealed:
 1. By-law No. 74-39, passed on February 26, 1974;
 2. By-law No. 74-116, passed on May 28, 1974;
 3. By-law No. 74-151, passed on July 30, 1974;
 4. By-law No. 75-52, passed on February 25, 1975;
 5. By-law No. 75-195, passed on June 24, 1975;
 6. By-law No. 75-302, passed on November 10, 1975;
 7. By-law No. 76-160, passed on May 25, 1976;
 8. By-law No. 77-277(14), passed on November 8, 1977;
 9. By-law No. 78-45(9), passed on February 14, 1978;
 10. By-law No. 78-184(9), passed on June 28, 1978.

PASSED this 25th day of September A.D. 1979.


City Clerk


Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 -

To Amend:

By-law No. 4797

Respecting:

PRODUCTS OF COMBUSTION DETECTORS

WHEREAS under section 1 of The City of Hamilton Act, S.O. 1951, Chapter 103, The Corporation of the City of Hamilton may pass by-laws,

1. "for amending and revising from time to time By-law No. 4797", and
2. "for regulating, in any such amending or revising of said By-law No. 4797, all matters relating to the design, erection, alteration, demolition, removal, maintenance and use of buildings and structures, and the use of land and the design, construction, installation, alteration, maintenance and use of all equipment, facilities, matters and things, for the better protection of persons and property from unsafe conditions as regards danger from fire or risk of accident...";

AND WHEREAS it is desirable to provide for the installation in existing buildings of products of combustion detectors so as to allow for the better protection of persons and property from unsafe conditions as regards danger from risk of fire.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 1 of section 400A of Article IV of By-law No. 4797 is amended by inserting after "lack of" in the third line "products of combustion detectors, fire alarm system," so that the third and fourth lines shall read as follows:

...condition as regards danger from fire, whether by reason of lack of products of combustion detectors, fire alarm system, sprinklers or fire extinguishers, lack of adequate "means of egress",...

2. Section 403A of Article IV of By-law No. 4797 is amended by adding thereto the following clause:

- (m) A residence building, other than a single family dwelling and a residence building equipped with an automatic fire alarm system, which is not equipped with products of combustion detectors that,
 - (a) are equipped with a visual indication that they are in operation; and
 - (b) are connected with the building's electrical supply without a disconnect wall switch; and

- (c) are permanently mounted to a standard electrical outlet or junction box on the ceiling; and
- (d) are served by a circuit not interconnected to any wall outlet;

READ A FIRST AND SECOND TIME this 25th Day of September A.D. 1979.

READ A THIRD TIME AND FINALLY PASSED this Day of A.D. 1979.

City Clerk

Mayor

(1979) 11 R.L.F.C. 8, Sept. 25

Bill No. 283

BY-LAW No. 79-278

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 25TH DAY OF SEPTEMBER A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

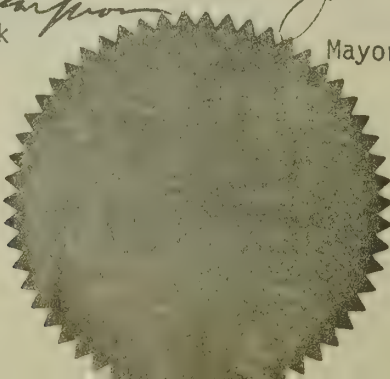
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 25th day of September A.D., 1979.

E. A. Simpson
City Clerk

John A. Mac Donald
Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 279

To Amend:

By-law No. 4797

Respecting:

PRODUCTS OF COMBUSTION DETECTORS

WHEREAS under section 1 of The City of Hamilton Act, S.O. 1951, Chapter 103, The Corporation of the City of Hamilton may pass by-laws,

1. "for amending and revising from time to time By-law No. 4797", and
2. "for regulating, in any such amending or revising of said By-law No. 4797, all matters relating to the design, erection, alteration, demolition, removal, maintenance and use of buildings and structures, and the use of land and the design, construction, installation, alteration, maintenance and use of all equipment, facilities, matters and things, for the better protection of persons and property from unsafe conditions as regards danger from fire or risk of accident...";

AND WHEREAS it is desirable to provide for the installation in existing buildings of products of combustion detectors so as to allow for the better protection of persons and property from unsafe conditions as regards danger from risk of fire.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Subsection 1 of section 400A of Article IV of By-law No. 4797 is amended by inserting after "lack of" in the third line "products of combustion detectors", so that the third and fourth lines shall read as follows:

...condition as regards danger from fire, whether by reason of lack of products of combustion detectors, fire alarm system, sprinklers or fire extinguishers, lack of adequate "means of egress",...

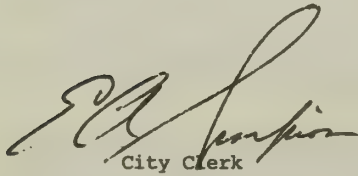
Section 403A of Article IV of By-law No. 4797 is amended by adding thereto the following clause:

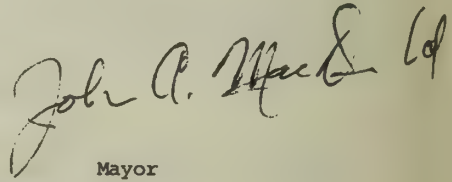
- (m) A residence building, other than a single family dwelling and a residence building equipped with an automatic fire alarm system, which is not equipped with products of combustion detectors that,
 - (a) are equipped with a visual indication that they are in operation; and
 - (b) are connected with the building's electrical supply without a disconnect wall switch; and

- (c) are permanently mounted to a standard electrical outlet or junction box on the ceiling; and
- (d) are served by a circuit not interconnected to any wall outlet;

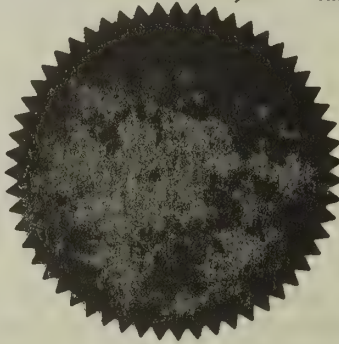
READ A FIRST AND SECOND TIME this 25th Day of September A.D. 1979.

READ A THIRD TIME AND FINALLY PASSED this 9th Day of October, A.D. 1979.


City Clerk


Mayor

(1979) 11 R.L.F.C. 8, Sept. 25



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 280

To Amend:

Licensing By-law No. 73-342

Respecting:

RATES OR FARES TO BE CHARGED FOR CABS

WHEREAS it is intended to change the rates or fares to be charged for cabs under section 14 of Schedule 4 of By-law No. 73-342.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause (a) of subsection 1 of section 14 of By-law No. 73-342 is repealed and the following substituted therefor:

(a) For Livery Cabs or Metered Cabs by Agreement:

(i) For the first hour or part thereof
.....\$12.00;

(ii) For each additional 1/4 hour or
part thereof.....\$ 3.00.

2. Paragraphs A, B and F of subclause (i) of clause (b) of subsection 1 of section 14 of Schedule 4 of the said By-law, as re-enacted by By-law No. 74-201, section 1 and amended by By-law No. 74-217, section 1, By-law No. 76-174, sections 1, 2 and 3, and By-law No. 77-153, section 1, are repealed and the following substituted therefor:

A. For the first 1/9 of a mile or part thereof
.....\$1.00.

B. For each additional 1/9 of a mile or part
thereof..... .10.

F. For waiting after engagement for each 45
seconds or part thereof after the first
45 seconds..... .10.

3. Section 14 of the said By-law, as re-enacted by By-law No. 74-201, is amended by adding thereto the following:

(3) Rates or fares mentioned in subsection 1
shall be reduced by 10% for persons issued,

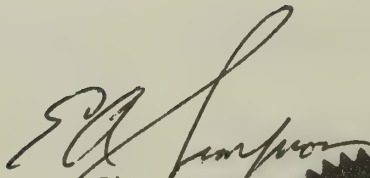
(a) a City of Hamilton Senior Citizens
Transit Pass; or

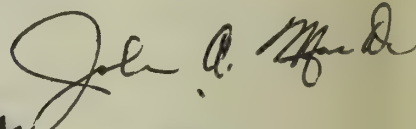
(b) a City of Hamilton Special Rate
Transportation Pass, other than
Group A,

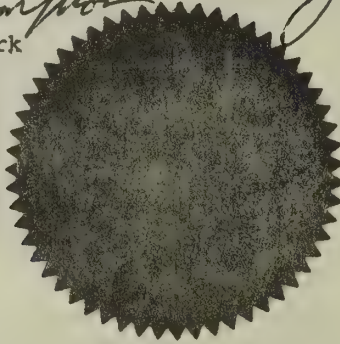
where all passengers travelling in a taxi cab are holders of the passes mentioned in clauses (a) and (b).

- (4) Every reduction in rates or fares referred to in subsection 3, shall be calculated on the highest full dollar registered on the taxi-meter.

PASSED this 9th day of October, A.D. 1979.


City Clerk


Mayor



(1979) 11 R.L.F.C. 10, September 25

The Corporation of the City of Hamilton

BY-LAW NO. 79- 281

To Repeal:

By-law No. 5815

Respecting:

FLORIST SHOPS

WHEREAS By-law No. 5815, passed on the 30th day of July, 1946, as amended by By-law No. 79-147, passed on the 8th day of May, 1979, provides for the closing within certain hours, on Wednesdays, of the class of shops known as Florists;

AND WHEREAS subsection 17 of section 355 of The Municipal Act, R.S.O. 1970, Chapter 284 provides that the council may repeal any by-law passed under the said section whether or not such by-law was required to be passed upon application of any number of occupiers of shops in the municipality;

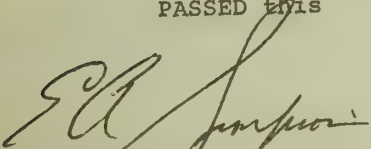
AND WHEREAS By-law No. 5815 was passed upon application of not less than three-quarters of the occupiers of Florist shops within the City of Hamilton;

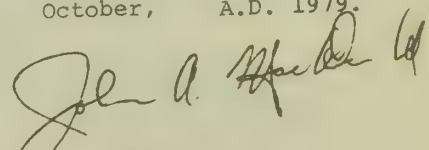
AND WHEREAS it is desirable to repeal By-law No. 5815.

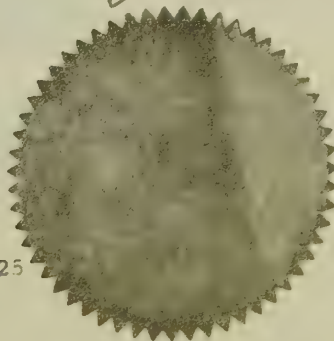
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 5815 as amended by By-law No. 79-147 is repealed.

PASSED this 9th day of October, A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 282

To Amend:

By-law No. 4797

Respecting:

THE POWERS AND DUTIES OF THE CHIEF FIRE PREVENTION OFFICER,
REWORDING VARIOUS PROVISIONS TO CLARIFY MEANING, INSERTING
REFERENCES TO THE ONTARIO BUILDING CODE AND UNSAFE CONDITIONS

WHEREAS under section 1 of The City of Hamilton Act,
S.O. 1951, Chapter 103, The Corporation of the City of Hamilton
may pass by-laws,

1. "for amending and revising from time to time By-law No. 4797", and
2. "for regulating, in any such amending or revising of said By-law No. 4797, all matters relating to the design, erection, alteration, demolition, removal, maintenance and use of buildings and structures, and the use of land and the design, construction, installation, alteration, maintenance and use of all equipment, facilities, matters and things, for the better protection of persons and property from unsafe conditions as regards danger from fire or risk of accident...";

AND WHEREAS it is desirable to clarify the jurisdiction of the chief fire prevention officer and the meaning of various provisions of By-law No. 4797 and also to give effect to the intention of By-law No. 4797.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Section 100A of By-law No. 4797 is amended by striking out "Duties And" in the heading.

(2) The first three lines of paragraph 1 of subsection 1 of section 100A are repealed and the following substituted therefor:

1. Under the general supervision and control of the chief of the fire department, the chief fire prevention officer shall have the following powers:
2. Subsection 2 of section 100A of Article I of By-law No. 4797 is repealed and the following substituted therefor:

10/9/79

2. Where the chief fire prevention officer is of the opinion that there may exist or that there exists an unsafe condition as regards danger from fire, he may issue one or more orders,

(a) for the abatement of the unsafe condition described in the order;

(b) requiring compliance with,

(i) any provision of this by-law; or

(ii) any provision of the building code as relating to fire hazards, to such an extent as in the opinion of the chief fire prevention officer may be necessary or practical or advisable for the better protection of persons or property from the unsafe condition.

3. Section 201 of Article II of By-law No. 4797 is amended by adding thereto the following clause:

"building code" means the regulations made under section 18 of The Building Code Act, 1974;

4. Subsection 1 of section 400A of Article IV of By-law No. 4797 is amended by inserting after "lack of" in the third line "a fire alarm system," so that the third and fourth lines shall read as follows:

...condition as regards danger from fire, whether by reason of lack of a fire alarm system, sprinklers or fire extinguishers, lack of adequate "means of egress",....

5. Clause (a) of section 403A of Article IV of By-law No. 4797 is amended by striking out "by-law for new erections" in the third line and inserting in lieu thereof "the building code", so that the clause shall read as follows:

(a) Means of egress. Any building, other than a "private dwelling", being unprovided with a "means of egress" conforming to the requirements of the building code, or the defective or obstructed condition of any "means of egress".

6. (1) Clause (c) of section 403A of Article IV of By-law No. 4797 is amended by striking out "Article 10 thereof as" in the second line and inserting in lieu thereof "the building code", so that the clause shall read as follows:

- (c) Fire Protection. The lack of fire-retarding protection conforming to the requirements of the building code for a new "building", or the defective condition of same;

(2) Clause (d) of section 403A of Article IV of By-law No. 4797 is amended by striking out "Article 14 hereof as" in the second line and inserting in lieu thereof "the building code" so that the clause shall read as follows:

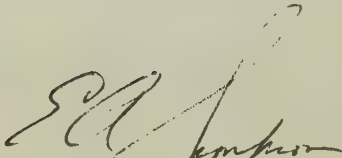
- (d) Fire Fighting Equipment. The lack of fire extinguishing equipment conforming to the requirements of the building code for a new "building", or the defective condition of same; or the lack of adequate and "suitable" fire extinguishers of such type and number as "good practice" may require, or the defective condition of same;

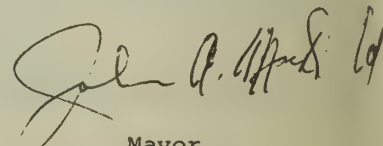
7. Section 403A of Article IV of By-law No. 4797 is amended by adding thereto the following clause:

- (1) A residence building containing four or more storeys which is not equipped with an automatic fire alarm system.

8. By-law No. 4797 may be cited as the "Fire Prevention By-law".

PASSED this 9th day of October, A.D. 1979.


City Clerk


Mayor



(1979) 11 R.L.F.C. 7, September 25

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 79 - 283

TO NAME A CERTAIN STREET LANDSDOWNE AVENUE
AND TO PROVIDE FOR THE SETTLING AND MARKING THE BOUNDARY LINES THEREOF

WHEREAS paragraph 97 of subsection 1 of section 354 of The Municipal Act, R.S.O. 1970, as amended provides that the council of a municipality may pass by-laws to provide for surveying, settling and marking the boundary lines of highways and giving names to them.

AND WHEREAS the highway more particularly described in Schedule "A" has been established by long public user and has been accepted by the municipality by the constructing of certain works thereon.

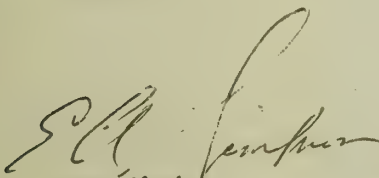
AND WHEREAS the said highway has been commonly known as Landsdowne Avenue.

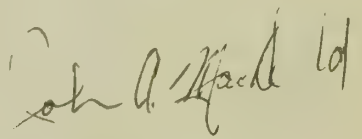
AND WHEREAS it is deemed expedient by the Council of The Corporation of the City of Hamilton to name the said highway and survey, settle and mark the boundaries thereof.

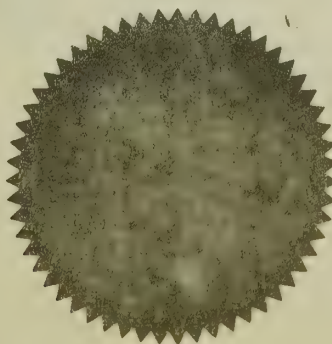
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The highway more particularly described in Schedule "A" is hereby named Landsdowne Avenue;
2. The boundary lines of the said highway are hereby settled and marked in accordance with the description attached hereto as Schedule "A".

PASSED this 9th day of October, A.D. 1979.


City Clerk

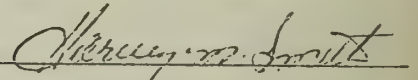

Mayor



SCHEDULE "A"

Description of land for By-law to name a certain existing
travelled road as Landsdowne Avenue - between Sherman Avenue
and Lottridge Street

All and singular that certain parcel or tract of land
and premises, situate, lying and being in the City of Hamilton in
the Regional Municipality of Hamilton-Wentworth, in the Province
of Ontario being composed of part of lot 8, Concession 1 of the
Township of Barton and designated as PART 1 on a reference plan
received and deposited in the Land Registry Office for the Registry
Division of Wentworth on March 19th, 1979, as Plan 62R-4715.



Harvey M. Smith,
Ontario Land Surveyor

Department of Engineering
27 September 1979
HMS:jb

PART I

[illegible]

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DEPARTMENT OF ENGINEERING - LAND SURVEYS

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BY-LAW NO. 79-284

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby further amended by adding thereto the following items, namely:-

"Capri	Northbound	Vittorito
Isle	Northbound	Capri
Isle	Southbound	Highridge".

2. Schedule 12 (One-Way Streets) is hereby amended by deleting therefrom the following item, namely:-

"Stapleton	Northerly	Beach Road	Burlington".
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and by adding thereto the following item, namely:-

"Stapleton	Northerly	Beach Road	250 feet south of Burlington".
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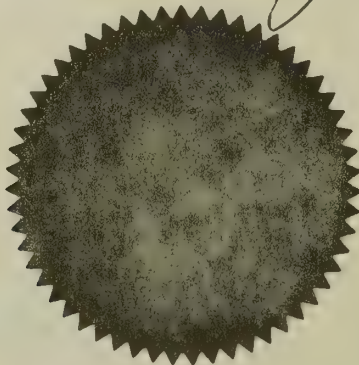
3. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Brockley	North	From 491 feet east of east street line of Brockley to 70 feet easterly".
-----------	-------	--

PASSED THIS 9th day of October A.D. 1979

[Signature]
CITY CLERK

[Signature]
MAYOR



BY-LAW NO. 79-285

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

1. Schedule 23 (Hamilton Street Railway Bus Stops) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby amended by adding to the Outbound Column of the Sanatorium Table the following item, namely:-

"Queen at Bold (F/S)"

2. Schedule 24 (Parking Meter Locations) is hereby amended by adding to Section 3 (a) (One Hour Meters) the following item, namely:-

"Avondale	West	Barton to 135 feet south".
-----------	------	----------------------------

3. Schedule 25 (Parking Time Limits) is hereby amended by deleting from Section 5 (One Hour Limit 8:00 A.M. - 6:00 P.M., Monday to Saturday) the following item, namely:-

"Bellwood	East	From 35 feet north of Concession to 72 feet northerly".
-----------	------	---

and by adding thereto the following item, namely:-

"Bellwood	East	From 35 feet north of Concession to 46 feet northerly".
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4. Schedule 25A (Parking Time Limits) is hereby amended by adding to Section 5 (One Hour Limit, 8:00 A.M. - 6:00 P.M., Monday to Friday) the following item, namely:-

"Wembley	Both	West 3rd to West 5th".
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5. Schedule 26 (No Parking Areas) is hereby amended;

(a) by deleting from Section A (No Parking Anytime) the following item, namely:-

"Greig	East	Barton to Little Greig".
--------	------	--------------------------

and by adding thereto the following items, namely:-

"Greig	East	Barton to 133 feet southerly
Greig	East	From 190 feet south of Barton to 283 feet south of Barton
Greig	East	From 375 feet south of Barton to Little Greig
Capri	West and North	Vittorito to Westerly end
Lavina	North	Magnolia to northerly leg of Lavina
Dunsmure	North	Fairholt to 52 feet easterly
Dunsmure	South	From 74 feet west of Fairholt to Fairholt
Dunsmure	South	Fairholt to 66 feet easterly
Redhill	South	Mount Albion to Montmorency Court
Redhill	North	From 108 feet west of Montmorency Drive to Montmorency Drive
San Remo	West	From 70 feet north of Tivoli Drive to Tivoli Drive
Stapleton	East	Burlington to 95 feet southerly
Province	Both	From 48 feet south of Roxborough to Roxborough
Province	East	Roxborough to 100 feet northerly
Province	West	Roxborough to 75 feet northerly".

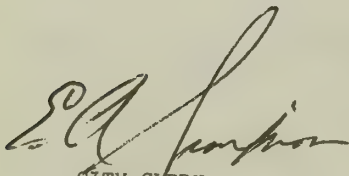
(b) by deleting from Section B (Loading Zones) the following item, namely:-

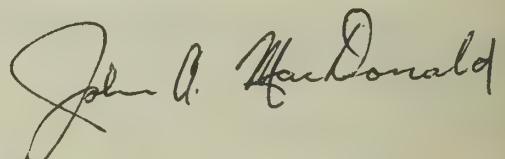
"Ashley West 64 feet 32 feet south of Cannon Anytime".

(c) by adding to Section C (No Parking, 7:00 A.M. - 6:00 P.M., Monday to Saturday) the following item, namely:-

"Tiffany East Barton to 95 feet northerly".

PASSED THIS 9th day of October, A.D. 1979


CITY CLERK


MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 79- 286

To Amend:

By-law No. 78-211

Respecting:

CHANGE OF INSPECTORS

WHEREAS By-law No. 78-211, passed on the 25th day of July, 1978 provides for the appointment of inspectors under The Building Code Act, 1974;

AND WHEREAS it is intended to amend By-law No. 78-211 to change inspectors by reason of retirement, resignation and appointment.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

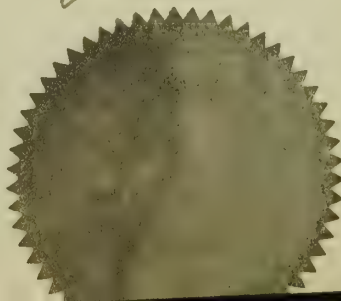
1. Clause (a) of section 2 of By-law No. 78-211 is amended by adding thereto the following paragraph:
 1. Leonard C. King, P. Eng.
2. Paragraph 1 of clause (a) of section 6 of the said By-law is repealed and the following substituted therefor:
 1. Peter Lampman, P. Eng.
3. Paragraph 2 of clause (a) of section 7 of the said By-law is repealed.
4. Paragraph 2 of clause (a) of section 8 of the said By-law is repealed.
5. Paragraph 12 of clause (a) of section 9 of the said By-law is repealed.

PASSED this 9th day of October,

A.D. 1979.

[Signature]
City Clerk

[Signature]
Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79- 287

To Repeal:

Zoning By-law No. 79-94

Respecting:

LAND LOCATED ON THE WEST SIDE OF NEBO ROAD,
IN THE AREA SOUTH OF HEMPSTEAD DRIVE

WHEREAS By-law No. 79-94, passed on the 27th day of March, 1979, provided that the land shown on schedule "A" thereto may be used for a meat products plant but only if the operation of the plant is subject to The Meat Inspection Act, R.S.C. 1970, Chapter 7-7 and Regulations thereto;

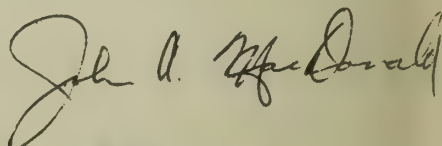
AND WHEREAS City Council, in adopting Item 3 of the 32nd Report of the Planning and Development Committee on September 25, 1979, directed that By-law No. 79-94 be repealed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 79-94 is repealed.

PASSED this 9th day of October, A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79-

To Adopt:

THE LANDSDALE NEIGHBOURHOOD REDEVELOPMENT PLAN

WHEREAS By-law No. 78-01, passed on the 10th day of January, 1978, designated the Landsdale Neighbourhood as a Redevelopment Area in accordance with subsection 2 of section 22 of The Planning Act, R.S.O. 1970, Chapter 349, having been approved by the Minister on the 12th day of December, 1977;

AND WHEREAS subsection 5 of section 22 of The Planning Act provides as follows:

- (5) When a by-law has been passed and approved under subsection 2, the council, with the approval of the Minister, may by by-law adopt a redevelopment plan for the redevelopment area;

AND WHEREAS Item 4 of the 33rd Report of the Planning and Development Committee, adopted by Council on the 9th day of October, 1979, approved a redevelopment plan dated June, 1979 for the Landsdale Neighbourhood Redevelopment Area.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Landsdale Redevelopment Area Plan dated June, 1979, hereto annexed as schedule "A" and forming part of this by-law, is adopted as the redevelopment plan for the Landsdale Neighbourhood Redevelopment Area designated by By-law No. 78-01.

READ A FIRST AND SECOND TIME on the 9th day of October, A.D. 1979.

READ A THIRD TIME AND FINALLY PASSED on the
day of A.D. 1979, the approval of the Minister
having been granted on the day of A.D. 1979.

City Clerk

Mayor

SCHEDULE "A"

To

BY-LAW NO. 79-

To Adopt:

THE LANDSDALE NEIGHBOURHOOD REDEVELOPMENT PLAN

CITY OF HAMILTON

NEIGHBOURHOOD IMPROVEMENT PROGRAMME

LANDSDALE DESIGNATED AREA

REDEVELOPMENT PLAN

DEPARTMENT OF
COMMUNITY DEVELOPMENT
1979 JUNE

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CITY OF HAMILTONNEIGHBOURHOOD IMPROVEMENT PROGRAMMELANDSDALE DESIGNATED AREAREDEVELOPMENT PLANA INTRODUCTION(I) AREA DESIGNATION

ON 1977 OCTOBER 25, HAMILTON CITY COUNCIL ADOPTED SECTION 2(B) OF THE 26TH REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE WHEREBY THE AREA KNOWN AS THE LANDSDALE NEIGHBOURHOOD WITHIN THE CITY OF HAMILTON WAS TO BE DESIGNATED A NEIGHBOURHOOD IMPROVEMENT PROGRAMME REDEVELOPMENT AREA; AND, IN ADDITION DIRECTED THAT APPLICATION BE MADE TO THE MINISTER OF HOUSING, PROVINCE OF ONTARIO, FOR THE UNDERTAKING OF A NEIGHBOURHOOD IMPROVEMENT PROGRAMME WITHIN THE LANDSDALE NEIGHBOURHOOD AT A GROSS COST OF TWO MILLION SEVEN HUNDRED EIGHTY-FOUR THOUSAND DOLLARS (\$2,784,000.).

SUBSEQUENTLY, THE DEPARTMENT OF COMMUNITY DEVELOPMENT, CITY OF HAMILTON, MADE FORMAL APPLICATION TO THE MINISTER OF HOUSING FOR OFFICIAL DESIGNATION OF LANDSDALE NEIGHBOURHOOD AS A REDEVELOPMENT AREA AND, ON 1977 DECEMBER 12 THE HONOURABLE JOHN R. RHODES, MINISTER OF HOUSING DID GRANT HIS APPROVAL FOR SUCH DESIGNATION PURSUANT TO SECTION 22(2) OF THE PLANNING ACT, R.S.O. 1970.

(II) CITIZEN PARTICIPATION AND PLAN PREPARATION

IN ORDER THAT THE RESIDENTS AND PROPERTY OWNERS FROM THE LANDSDALE REDEVELOPMENT AREA MIGHT CONTRIBUTE TO THE IMPROVEMENT OF SAID AREA, THE DEPARTMENT OF COMMUNITY DEVELOPMENT SENT A LETTER SIGNED BY THE ALDERMEN FOR WARD THREE, WHEREIN THE LANDSDALE AREA IS LOCATED, TO THE FOUR THOUSAND THREE HUNDRED AND EIGHTY ONE (4,381) RESIDENTS AND/OR PROPERTY OWNERS OF THE LANDSDALE NEIGHBOURHOOD. THE LETTER ADVISED THE RESIDENTS AS TO THE FEATURES AND REQUIREMENTS OF THE NEIGHBOURHOOD IMPROVEMENT PROGRAMME, AND INVITED THEM TO ATTEND EITHER OR BOTH OF TWO (2) PUBLIC MEETINGS WHICH WERE TO BE HELD IN THE NEIGHBOURHOOD.

RESIDENTS WERE ALSO ENCOURAGED TO SUBMIT NOMINATIONS OF PERSONS TO SERVE ON A "NEIGHBOURHOOD PLANNING COMMITTEE". FIVE (5) COMMITTEE MEMBERS WERE ELECTED AT THE LAST OF TWO (2) PUBLIC MEETINGS HELD 1978 MARCH 1ST AND 15TH. THE CITY CLERK FOR THE CITY OF HAMILTON AS WELL RECEIVED A FURTHER FORTY NINE (49) NOMINATIONS TO THE NEIGHBOURHOOD PLANNING COMMITTEE FROM WHICH THE REMAINING TEN (10) MEMBERS WERE CHOSEN BY THE TWO ALDERMEN FOR WARD THREE IN CONSULTATION WITH STAFF FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT. IN ORDER THAT THE MEMBERS OF THE NEIGHBOURHOOD PLANNING COMMITTEE WERE REPRESENTATIVE OF THE POPULACE OF THE LANDSDALE NEIGHBOURHOOD, CONSIDERATION WAS GIVEN TO SUCH FACTORS AS OCCUPATION, ETHNICITY, SEX, RESIDENCE LOCATION, AND WHETHER THEY WERE PROPERTY OWNERS OR TENANTS WITHIN THE NEIGHBOURHOOD.

THE PURPOSE AND SCOPE OF THE CITIZEN'S NEIGHBOURHOOD PLANNING COMMITTEE WAS TO ASSIST IN THE PREPARATION, FROM A NEIGHBOURHOOD POINT-OF-VIEW, OF A REDEVELOPMENT PLAN FOR CONSIDERATION BY THE NEIGHBOURHOOD IMPROVEMENT PROGRAMME STAFF CO-ORDINATING COMMITTEE, THE PLANNING AND DEVELOPMENT COMMITTEE, HAMILTON CITY COUNCIL AND THE MINISTER OF HOUSING OF THE PROVINCE OF ONTARIO AND, SUBSEQUENTLY, ESTABLISH PRIORITY PROJECTS FOR IMPROVEMENTS TO THE LANDSDALE NEIGHBOURHOOD. THE NEIGHBOURHOOD PLANNING COMMITTEE WILL CONTINUALLY REVIEW COST ESTIMATES OF PROJECTS PROPOSED FOR IMPLEMENTATION UNDER THE NEIGHBOURHOOD IMPROVEMENT PROGRAMME AND WILL CONTINUE IN EXISTENCE FOR THE LIFE OF THE THREE (3) YEAR IMPLEMENTATION STAGE. THE COMMITTEE WILL CONTINUALLY REVIEW AND REASSESS PROJECTS AND ADVISE CITY COUNCIL THROUGH THE DEPARTMENT OF COMMUNITY DEVELOPMENT OF ANY PROJECT CHANGES.

B THE REDEVELOPMENT PLAN

(I) THE PURPOSE AND SCOPE OF THE REDEVELOPMENT PLAN

THE PURPOSE OF THE REDEVELOPMENT PLAN IS TO GUIDE FUTURE DEVELOPMENT IN THE LANDSDALE NEIGHBOURHOOD UNDER THE TERMS AND CONDITIONS OF THE NEIGHBOURHOOD IMPROVEMENT PROGRAMME.

CONSEQUENTLY, THE REDEVELOPMENT PLAN ISOLATES THOSE PROBLEMS WHICH PRESENTLY EXIST IN THE NEIGHBOURHOOD AND IDENTIFIES WAYS AND MEANS TO ALLEVIATE THE AFOREMENTIONED PROBLEMS.

CONSIDERING BOTH THE FINANCIAL AND TIME CONSTRAINTS OF THE NEIGHBOURHOOD IMPROVEMENT PROGRAMME, IT IS HIGHLY UNLIKELY THAT ALL OF THE PROPOSED ACTIONS IN THE REDEVELOPMENT PLAN CAN BE ACTED UPON WITHIN THE THREE (3) YEAR TIME LIMIT OF THE IMPLEMENTATION STAGE. THEREFORE, IT WILL BE NECESSARY FOR THE NEIGHBOURHOOD PLANNING COMMITTEE TO ESTABLISH A PRIORITY LIST OF PROJECTS WHICH WILL ACCOUNT FOR, AND RESOLVE, THE MOST SERIOUS AND PREVALENT OF THE PROBLEMS AND DEMANDS GENERATED IN THE LANDSDALE NEIGHBOURHOOD.

(II) LANDSDALE NEIGHBOURHOOD BACKGROUND

LANDSDALE NEIGHBOURHOOD IS SITUATED IN THE NORTH-CENTRAL AREA OF THE CITY AND IS BOUNDED NORTHERLY BY THE C.N.R. MAIN LINE, EASTERLY BY WENTWORTH STREET NORTH, SOUTHERLY BY MAIN STREET EAST, AND WESTERLY BY WELLINGTON STREET NORTH.

LANDSDALE IS ONE OF THE MOST HISTORIC AND HEAVILY POPULATED NEIGHBOURHOODS IN THE CITY OF HAMILTON. IN 1977, ITS POPULATION WAS EIGHT THOUSAND EIGHT HUNDRED AND THIRTY-EIGHT (8,838). THE TOTAL NET RESIDENTIAL AREA OF LANDSDALE IS ONE HUNDRED AND THIRTY-ONE DECIMAL THREE (131.3) ACRES. THERE IS AN AVERAGE OF TWENTY-SEVEN (27) DWELLING UNITS PER NET RESIDENTIAL ACRE AND APPROXIMATELY SIXTY-EIGHT (68) PERSONS PER NET RESIDENTIAL ACRE. THIS IS APPROXIMATELY TWICE AS HIGH AS THE CITY AVERAGE. THERE IS EVIDENCE THROUGHOUT LANDSDALE OF A TREND TOWARDS REHABILITATION OF THE EXISTING HOUSING STOCK, HOWEVER, THERE STILL ARE DETERIORATED RESIDENTIAL POCKETS BLIGHTING THE AREA. THE EXTREME RESIDENTIAL NATURE OF LANDSDALE HAS LIMITED THE AMOUNT OF PUBLIC OPEN SPACE. CONSEQUENTLY, THERE IS A SEVERE SHORTAGE OF DEVELOPED PARKLAND.

(III) NEIGHBOURHOOD PROBLEMS

THE FOLLOWING LIST OF PROBLEMS WITHIN THE AREA IS A RESULT OF AN ANALYSIS OF NEIGHBOURHOOD QUESTIONNAIRE RETURNS AS WELL AS A CONTINUING DIALOGUE WITH RESIDENTS OF THE AREA.

-4-

- (1) LACK OF NEIGHBOURHOOD PARK AND OPEN SPACE FACILITIES;
- (2) BUILDING CONDITIONS IN SOME AREAS OF THE NEIGHBOURHOOD ARE DETERIORATING;
- (3) LAND USE CONFLICTS;
- (4) LACK OF PARKING FACILITIES IN RESIDENTIAL AREAS;
- (5) COMMERCIAL OBSOLESCENCE IN SOME AREAS;
AND,
- (6) THROUGH TRAFFIC IN RESIDENTIAL AREAS.

(IV) THE NEIGHBOURHOOD PROGRAMME

OBJECTIVE I

INCREASE THE AMOUNT OF USEABLE PARK/OPEN SPACE. REFERENCE SHOULD BE MADE TO APPENDIX ("A"), REDEVELOPMENT PLAN, WHICH DESIGNATES ALL PARK/OPEN SPACE AREAS IN THE LANDSDALE NEIGHBOURHOOD.

PROPOSED ACTION

- (1) SUBSEQUENT TO THE ACQUISITION AND DEMOLITION OF PROPERTIES ADJACENT TO AND NORTH OF TWEEDSMUIR SCHOOL AT THE BLOCK BOUNDED NORTHERLY BY WILSON STREET, EASTERLY BY EAST AVENUE, SOUTHERLY BY KING WILLIAM STREET AND WESTERLY BY VICTORIA AVENUE NORTH, THAT PARK DEVELOPMENT TAKE PLACE THROUGH THE N.I.P.
- (2) THAT WHERE FEASIBLE, CONSIDERATION BE GIVEN TO DEVELOPING EXISTING BOARD OF EDUCATION PROPERTY (BOTH SEPARATE AND PUBLIC), THUS INCREASING THE AMOUNT OF USEABLE PARK/OPEN SPACE.
- (3) THAT A "PASSIVE" HORTICULTURAL PARKETTE BE CONSIDERED FOR DEVELOPMENT ON CENTURY STREET ON CITY-OWNED PROPERTY.

OBJECTIVE II

ENCOURAGE THE DEVELOPMENT OF A FULL RANGE OF ACTIVE AND PASSIVE RECREATIONAL ACTIVITIES FOR ALL AGE GROUPS.

PROPOSED ACTION

- (1) THAT THE IMPROVEMENT OF THE EXISTING RECREATIONAL FACILITIES BE UNDERTAKEN WITH A VIEW TO INCORPORATING MODERN TRENDS IN DESIGN OF VARIOUS TYPES OF FACILITIES IN THE FIELD OF RECREATION.
- (2) THAT AN INDOOR RECREATION FACILITY OF A SUITABLE SIZE BE ESTABLISHED IN THE GIBSON REDEVELOPMENT AREA ON THE CENTRAL SECONDARY SCHOOL SITE ON WENTWORTH STREET NORTH TO SERVE BOTH THE GIBSON AND LANDSDALE REDEVELOPMENT AREAS. THE COST OF CONSTRUCTING SUCH A FACILITY AND DEVELOPING THE REMAINDER OF THE SITE, WILL BE SHARED EQUALLY BY THE GIBSON AND LANDSDALE N.I.P.
- (3) THAT BIRGE PARK, LOCATED IN THE NORTH-EAST SECTION OF THE NEIGHBOURHOOD, BE DEVELOPED TO SERVE THE NEIGHBOURHOOD IN THE MOST EFFECTIVE MANNER.

OBJECTIVE III

ENCOURAGE NEIGHBOURHOOD FACILITIES SERVING THE GENERAL NEEDS OF THE COMMUNITY.

PROPOSED ACTION

ASSIST, WHERE THERE IS A DEMONSTRATED NEED, IN THE IMPROVEMENT AND/OR ESTABLISHMENT OF SOCIALLY ORIENTED CENTRES.

OBJECTIVE IV

ENHANCE THE PHYSICAL APPEARANCE, STRUCTURAL SOUNDNESS AND SAFETY OF ALL PROPERTY IN THE NEIGHBOURHOOD.

PROPOSED ACTION

- (1) THAT THE CITY OF HAMILTON, ACTIVELY ENFORCE THE PROPERTY STANDARDS BY-LAW (74-74), FOR ALL PROPERTIES IN THE AREA, AND THAT ENFORCEMENT BE TEMPERED WITH ENCOURAGEMENT, ADVICE AND ASSISTANCE.

(2) IN CONJUNCTION WITH BY-LAW 74-74, A REHABILITATION PROGRAMME BE IMPLEMENTED TO CONSERVE AND IMPROVE THOSE AREAS OF THE NEIGHBOURHOOD THAT REQUIRE SUCH ATTENTION.

(3) THAT IMPLEMENTATION OF ANY RELEVANT GOVERNMENT PROGRAMME WHICH ENCOURAGES THE IMPROVEMENT, REHABILITATION AND CONSERVATION OF EXISTING STRUCTURES (I.E. RESIDENTIAL REHABILITATION ASSISTANCE PROGRAMME) BE CARRIED OUT BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

(4) THAT SELECTED RESIDENTIAL DWELLINGS WHICH ARE DEEMED TO BE BEYOND A REASONABLE LEVEL OF ECONOMIC REHABILITATION IN CONSIDERATION OF THE CITY OF HAMILTON'S PROPERTY STANDARDS BY-LAW (74-74), BE CONSIDERED FOR PURCHASE UNDER THE PROVISIONS OF THE LEGISLATION GOVERNING THE NEIGHBOURHOOD IMPROVEMENT PROGRAMME. ANY SUCH PROPERTY WILL BE CLEARED FOR THE PRIMARY PURPOSE OF PROVIDING NEW HOUSING FOR INDIVIDUALS OR FAMILIES OF LOW TO MODERATE INCOME. THE PRECEEDING DOES NOT PRECLUDE THE FACT THAT SOME LANDS SO ACQUIRED MAY ULTIMATELY BE USED FOR THE PROVISION OF OPEN SPACE OR COMMUNITY FACILITIES WITHIN THE DESIGNATED N.I.P. AREA.

OBJECTIVE V

TO ENCOURAGE AND FOSTER THE MOST DESIRABLE AND ATTRACTIVE FORMS OF REDEVELOPMENT WITHIN LANDSDALE NEIGHBOURHOOD.

PROPOSED ACTION

(1) THAT SHOULD PRIVATE REDEVELOPMENT OCCUR, ANY ADJACENT PARCEL OF LAND NOT INCLUDED IN THE REDEVELOPMENT SCHEME, BUT DESIGNATED FOR DEVELOPMENT, BE OF SUFFICIENT SIZE AND OF A SUITABLE NATURE TO BE REDEVELOPED INDEPENDENTLY AT A LATER DATE.

OBJECTIVE VI

ESTABLISH ALTERNATIVE SOLUTIONS TO THE EXISTING LACK OF OFF-STREET PARKING.

PROPOSED ACTION

(1) RECOMMEND TO THE TRAFFIC DEPARTMENT OF THE CITY OF HAMILTON THAT THEY INITIATE ACTION TO ALLEVIATE A LACK OF OFF-STREET PARKING IN ORDER TO PROVIDE RESIDENTS WHO LACK OFF-STREET PARKING WITH A PARKING SPACE ON THE STREET WHERE THEY RESIDE.

OBJECTIVE VII

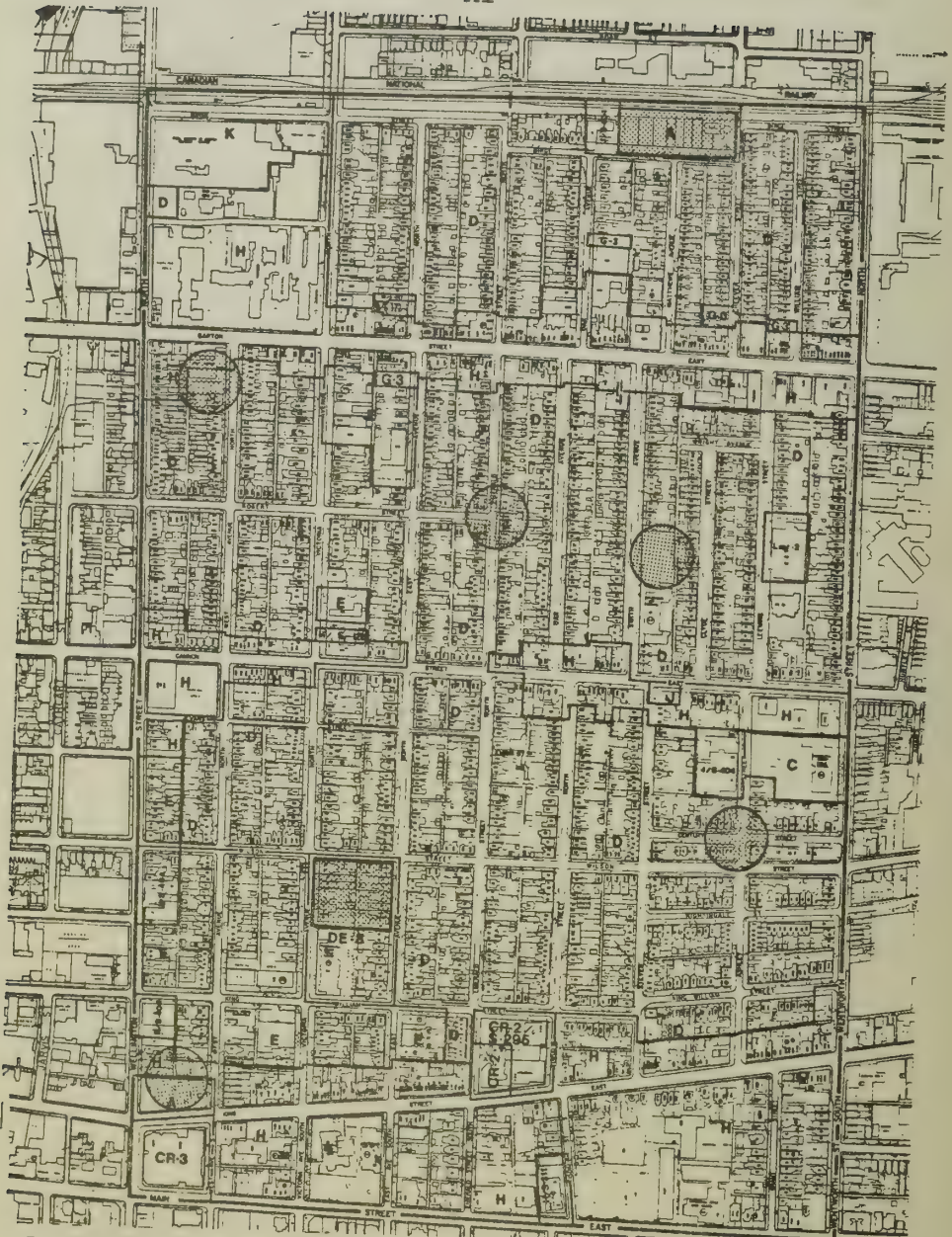
ESTABLISH AN APPROPRIATE AND COMPATIBLE TRAFFIC SYSTEM IN CONSIDERATION OF THE NEIGHBOURHOOD, BEARING IN MIND THE HIGHER-ORDER NEEDS OF THE MUNICIPALITY AS A WHOLE; WHICH SYSTEM STRIVES FOR MAXIMUM PUBLIC SAFETY AS WELL AS MINIMAL NOISE AGGRAVATION.

PROPOSED ACTION

(1) THAT EITHER THE TRAFFIC DEPARTMENT OR A PRIVATE CONSULTANT UNDERTAKE A THROUGH TRAFFIC STUDY TO IDENTIFY PROBLEMS OF THE LANDSDALE NEIGHBOURHOOD AND RECOMMEND SOLUTIONS.

A P P E N D I X 'A'

A1



EXISTING POPULATION (1973) 10354 (1971) 10653 (1972) 9662 (1973) 9589 (1974) 9134 (1975) 8893 (1976) 8836  To Be Redeveloped  Under Consideration Only	LAND USE RESIDENTIAL ☐ single & double ☐ attached housing ☐ low density apt. ☐ medium density apt. ☐ high density apt. ☐ commercial & apt. COMMERCIAL INDUSTRIAL CIVIC & INSTITUTIONAL PARK & RECREATIONAL OPEN SPACE UTILITIES	Neighborhood Boundary Zoning Boundary Staging or Development Boundary Boundary Approval Planning Bd. Council <table border="1"> <tr> <td>MAY 1971</td> <td>OCT 1971</td> </tr> <tr> <td>REVISION 1971</td> <td>REVISION 1971</td> </tr> <tr> <td>MAY 1971</td> <td>MAY 1971</td> </tr> <tr> <td>MAY 1971</td> <td>MAY 1971</td> </tr> </table> CITY OF HAMILTON PLANNING DEPARTMENT APPENDIX 'A' LANDSDALE REDEVELOPMENT PLAN  SCALE 1:1000	MAY 1971	OCT 1971	REVISION 1971	REVISION 1971	MAY 1971	MAY 1971	MAY 1971	MAY 1971
MAY 1971	OCT 1971									
REVISION 1971	REVISION 1971									
MAY 1971	MAY 1971									
MAY 1971	MAY 1971									

APPENDIX 'B' -

APPENDIX 'C'

DISTRICT AREA ANALYSIS

THE FOLLOWING IS A DISTRICT AREA ANALYSIS OF LANDSDALE'S REDEVELOPMENT PLAN.

(I) THE AREA NORTH OF BARTON STREET EAST

BIRGE PARK IS TO BE REDEVELOPED WITH PROVISION FOR GREATER NEIGHBOURHOOD USE BEARING IN MIND THE GENERAL LACK OF SUCH FACILITIES AND THE NEEDS OF THE CITIZENS OF THE AREA ADJACENT TO THE PARK.

THE "BARTON STREET CORRIDOR" IN THE LANDSDALE NEIGHBOURHOOD WILL BE STUDIED WITH A VIEW OF CONCENTRATING THE COMMERCIAL AREA INTO SMALLER, MORE VIABLE "POCKETS".

THE LOW DENSITY RESIDENTIAL CHARACTER OF THE AREA IS TO BE RETAINED WITH CONSERVATION AND REHABILITATION OF THE EXISTING HOUSING STOCK ENCOURAGED.

(II) THE AREA BETWEEN BARTON STREET EAST AND CANNON STREET EAST

THIS AREA WILL REMAIN AS A LOW DENSITY RESIDENTIAL NEIGHBOURHOOD WITH CONSERVATION AND REHABILITATION OF THE EXISTING HOUSING STOCK ENCOURAGED.

CONSIDERATION WILL BE GIVEN TO DEVELOPING PARK AND/OR RECREATIONAL FACILITIES ON PROPERTY OWNED BY THE BOARD OF EDUCATION AND/OR SEPARATE SCHOOL BOARD OF THE CITY OF HAMILTON. FURTHER CONSIDERATION WILL BE GIVEN TO DEVELOPING ALTERNATE PARK AND/OR RECREATIONAL FACILITIES IN A CENTRAL LOCATION OF THIS AREA.

LANDS PRESENTLY OWNED BY THE BOARD OF EDUCATION ON WENTWORTH STREET NORTH (THE CENTRAL SECONDARY SCHOOL SITE IN THE GIBSON NEIGHBOURHOOD) WILL BE DEVELOPED FOR THE PROVISION OF PARK AND/OR RECREATIONAL FACILITIES, THE COST OF WHICH WILL BE SHARED EQUALLY BETWEEN THE LANDSDALE AND GIBSON N.I.P. ALLOCATIONS.

ST. MATTHEW'S HOUSE WILL BE STUDIED WITH RESPECT TO THE PROGRAMMES OFFERED AND THE CONDITION OF THE FACILITY ITSELF WITH THE OBJECTIVE OF ASSISTING IF AND WHERE NEEDED IN THE IMPROVEMENT AND SCOPE OF SAME.

(III) THE AREA BETWEEN CANNON STREET AND WILSON STREET

THIS AREA WILL REMAIN PREDOMINANTLY LOW DENSITY RESIDENTIAL WITH THE CONSERVATION AND REHABILITATION OF THIS USE ENCOURAGED.

THE DEVELOPMENT OF A "PASSIVE" HORTICULTURAL PARKETTE IN THE CENTURY STREET AREA ON CITY OWNED PROPERTY WILL BE CONSIDERED. BOARD OF EDUCATION PROPERTY MAY BE DEVELOPED TO PROVIDE FACILITIES TO YOUNGER CHILDREN ON A LIMITED SCALE.

(IV) THE AREA BETWEEN WILSON STREET AND KING STREET EAST

THE LOW DENSITY RESIDENTIAL CHARACTER OF THE LAND NORTH OF KING WILLIAM STREET BETWEEN EAST AVENUE NORTH AND WENTWORTH STREET NORTH IS TO BE RETAINED AND THE CONSERVATION AND REHABILITATION OF THE HOUSING STOCK ENCOURAGED.

THE PROPERTY IMMEDIATELY ADJACENT TO AND NORTH OF TWEEDSMUIR SCHOOL WILL BE DEVELOPED FOR PARK AND/OR RECREATIONAL PURPOSES IN ORDER TO SERVE THE NEEDS OF THE RESIDENTS OF THE SURROUNDING AREA.

(V) THE AREA BETWEEN KING STREET EAST AND MAIN STREET EAST

THIS AREA SHOULD BE SERVED FROM A PARKS AND RECREATIONAL POINT-OF-VIEW FROM THE NEIGHBOURHOOD INTERIOR.

THE MUNICIPALLY OWNED PROPERTY AT THE NORTH-EAST CORNER OF WELLINGTON STREET NORTH AND KING STREET EAST SHOULD BE CONSIDERED FOR POSSIBLE IMPROVEMENT.

THE HIGH DENSITY RESIDENTIAL AND COMMERCIAL NATURE OF THE LAND IN THIS AREA BETWEEN KING STREET EAST AND MAIN STREET EAST IS TO BE RETAINED.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 288

To Amend:

Zoning By-law No. 6593

Respecting:

METRICATION

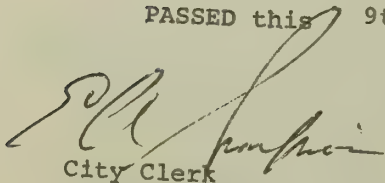
WHEREAS section 45a of The Planning Act, R.S.O. 1970, Chapter 349, as enacted by subsection 3 of section 21 of The Metric Conversion Act, S.O. 1978, Chapter 87, provides that a by-law may be passed establishing metric units of measurement in the General Zoning By-law No. 6593 and that such a by-law does not require to be approved by the Ontario Municipal Board;

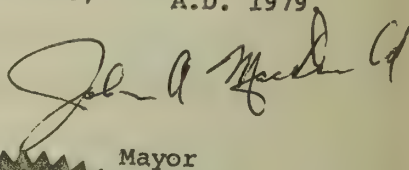
AND WHEREAS it is necessary to convert the imperial units of measurement to metric units of measurement in accordance with The Weights and Measures Act (Canada), in General Zoning By-law No. 6593.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The corresponding imperial units listed in column 3 of schedule "A", hereto annexed and forming part of this by-law, for the corresponding sections and subsections of By-law No. 6593 listed in columns 1 and 2 of schedule "A", are amended by substituting the corresponding metric units listed in column 4.

PASSED this 9th day of October, A.D. 1979


City Clerk


Mayor



SCHEDULE "A"
TO
BY-LAW NO. 79- 288
Respecting:
METRICATION

2

Law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
93	2	(2) H. (v)	9 ft.	2.7 m
			20 ft.	6.0 m
		(vib)	4 ft.	1.2 m
			6 ft.	2.0 m
		(viiib)	1 ft.	0.5 m
		(2) J. (ib)	20 ft.	6.0 m
		(v)	10 ft.	3.0 m
		(viii)	15 ft.	4.5 m
			15 ft.	4.5 m
			120 ft.	36.0 m
			15 ft.	4.5 m
		(xvi)	150 ft.	46.0 m
		(xxi)	4 ft.	1.2 m
		(xxiva)	30 ft.	9.0 m
	3	(2c)	5 ft.	1.5 m
			5 ft.	1.5 m
		(3) (ii)	10 ft.	3.0 m
			12 sq.ft.	1.2 m ²
		(xiva)	50 ft.	15.0 m
		(xxii)	12 ft.	4.0 m
			200 sq.ft.	19.0 m ²
			25 ft.	7.5 m
			3 acres	12,000.0 m ²
			12 sq.ft.	1.2 m ²
			10 ft.	3.0 m
		(xxv)	50 sq.ft.	5.0 m ²
		(xxvii)	2 sq.ft.	0.2 m ²

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	4	(3) (b)	15 ft.	4.5 m
			40 ft.	12.0 m
		(b) 1	16 ft. 8 in.	5.08 m
		2	15 ft.	4.57 m
		3	20 ft.	6.1 m
		4	20 ft.	6.1 m
		5	20 ft.	6.1 m
		6	12 ft.	3.66 m
		7	19 ft.	5.79 m
		8	14 ft.	4.27 m
		9	14 ft.	4.27 m
		10	14 ft.	4.27 m
		11	36 ft.	10.97 m
		12	36 ft.	10.97 m
		13	38 ft.	11.58 m
		14	38 ft.	11.58 m
		15	36 ft.	10.97 m
		16	28 ft.	8.53 m
		17	35 ft.	10.67 m
		18	23 ft.	7.01 m
		19	10 ft.	3.05 m
		20	12 ft.	3.66 m
		21	34 ft.	10.36 m
		22	22 ft.	6.71 m
		23	33 ft.	10.06 m
		24	33 ft.	10.06 m
		25	22 ft.	6.71 m
		26	30 ft.	9.14 m

-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	4	(3) (b) 27	38 ft.	11.58 m
		28	33 ft.	10.06 m
		29	37 ft.	11.28 m
		30	25 ft.	7.62 m
		31	25 ft.	7.62 m
		32	36 ft.	10.97 m
		33	25 ft.	7.62 m
		34	33 ft.	10.06 m
		35	33 ft.	10.06 m
		36	33 ft.	10.06 m
		37	31 ft.	9.45 m
		38	10 ft.	3.05 m
	7	(2)	35 ft.	11.0 m
		(3) (1)	40 ft.	12.0 m
		(ii)	15 ft.	4.5 m
		(iii)	35 ft.	10.5 m
		(4)	80 ft.	24.0 m
			20,000 sq.ft.	1,848.0 m ²
	7A	(1) (f)	800 ft.	244.0 m
		(2)	35 ft.	11.0 m
		(4)	200 ft.	60.0 m
			3 acres	12,000.0 m ²
	8	(1) (iii)(b)	5 acres	20,000.0 m ²
		(d)	100 ft.	30.0 m
			2 ft.	1.0 m
			foot	0.5 m

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	8	(1) (vii) (a)	20 acres	8.0 ha
		(b)	100 ft.	30.0 m
		(xi) (a)	3 acres	12,000.0 m ²
		(b)	100 ft.	30.0 m
		(xii) (a)	20 acres	8.0 ha
		(b)	1 ft.	0.5 m
			foot	0.5 m
		(xiii) (a)	3 acres	12,000.0 m ²
		(b)	100 ft.	30.0 m
		(2)	35 ft.	11.0 m
		(3) (i)	40 ft.	12.0 m
		(ii)	10 ft.	3.0 m
		(iii)	30 ft.	9.0 m
		(4)	65 ft.	20.0 m
			12,000 sq. ft.	1,100.0 m ²
	8A	(2)	35 ft.	11.0 m
		(3) (i)	25 ft.	7.5 m
		(ii)	6 ft.	2.0 m
		(iii)	25 ft.	7.5 m
		(4)	50 ft.	15.0 m
	8B		7,500 sq. ft.	690.0 m ²
		(2)	35 ft.	11.0 m
		(3) (i)	20 ft.	6.0 m
		(ii)	5 ft.	1.5 m
		(iii)	25 ft.	7.5 m
		(4)	50 ft.	15.0 m
			6,000 sq. ft.	540.0 m ²

Law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	9	(1) (iii)	60 sq.ft.	5.5 m ²
		(2)	35 ft.	11.0 m
		(3) (1)	20 ft.	6.0 m
		(ii)	4 ft.	1.2 m
		(iii)	25 ft.	7.5 m
		(4)	40 ft.	12.0 m
			4,000 sq.ft.	360.0 m ²
		(1) (viii)	4,000 sq.ft.	360.0 m ²
		(x)	4,000 sq.ft.	360.0 m ²
		(2)	45 ft.	14.0 m
	10	(3) (1)	20 ft.	6.0 m
		(ii)	35 ft.	11.0 m
			4 ft.	1.2 m
			9 ft.	2.7 m
		(iii)	25 ft.	7.5 m
		(4) (1)	40 ft.	12.0 m
			4,000 sq.ft.	360.0 m ²
		(ii)	60 ft.	18.0 m
			6,000 sq.ft.	540.0 m ²
		(iv)	90 ft.	27.0 m
			9,000 sq.ft.	810.0 m ²
			1,500 sq.ft.	140.0 m ²
			35 ft.	11.0 m
		(2)	20 ft.	6.0 m
		(3) (1)	4 ft.	1.2 m
		(ii) (a)	10 ft.	3.0 m
		(b)	6 ft.	2.0 m
			4 ft.	1.2 m
	10A			

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	10A	(3) (ii) (c)	10 ft.	3.0 m
		(d)	10 ft.	3.0 m
		(iii)	25 ft.	7.5 m
		(4) (i)	40 ft.	12.0 m
			4,000 sq.ft.	360.0 m ²
		(ii)	60 ft.	18.0 m
			6,000 sq.ft.	540.0 m ²
		(iia)	60 ft.	18.0 m
			7,500 sq.ft.	690.0 m ²
		(iii) (a)	70 ft.	21.0 m
			8,000 sq.ft.	720.0 m ²
		(b)	80 ft.	24.0 m
			1,750 sq.ft.	160.0 m ²
		(c)	90 ft.	27.0 m
			1,500 sq.ft.	140.0 m ²
			1,500 sq.ft.	140.0 m ²
			1,000 sq.ft.	93.0 m ²
		(d)	90 ft.	27.0 m
			1,500 sq.ft.	140.0 m ²
			1,500 sq.ft.	140.0 m ²
			1,000 sq.ft.	93.0 m ²
		(5)	5 ft.	1.5 m
	10B	(1) (vii)	5,000 sq.ft.	450.0 m ²
		(2) (ii)	85 ft.	26.0 m
		(3) (i) (a)	20 ft.	6.0 m
		(b)	10 ft.	3.0 m
			25 ft.	7.5 m

y-law No.	Col. 1 Section	Col. 2 Sub-section			Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	10B	(3)	(1)	(b)	66 ft.	20.0 m
					66 ft.	20.0 m
			(11)	(a)	4 ft.	1.2 m
				(b)	5 ft.	1.5 m
					5 ft.	1.5 m
					30 ft.	9.0 m
					10 ft.	3.0 m
					15 ft.	4.5 m
					45 ft.	13.5 m
					10 ft.	3.0 m
					25 ft.	7.5 m
					66 ft.	20.0 m
					66 ft.	20.0 m
			(111)	(a)	25 ft.	7.5 m
				(b)	5 ft.	1.5 m
					10 ft.	3.0 m
					45 ft.	13.5 m
					10 ft.	3.0 m
					45 ft.	13.5 m
			(4)	(1)	40 ft.	12.0 m
					4,000 sq.ft.	360.0 m ²
			(11)		50 ft.	15.0 m
					6,000 sq.ft.	540.0 m ²
			(111)		60 ft.	18.0 m
					6,500 sq.ft.	600.0 m ²
				(iv)	70 ft.	21.0 m
					7,000 sq.ft.	630.0 m ²
			(6)		5 ft.	1.5 m

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	10C	(1) (vii)	5,000 sq.ft.	450.0 m ²
		(2)	35 ft.	11.0 m
		(3) (i) (a)	20 ft.	6.0 m
		(b)	15 ft.	4.5 m
			25 ft.	7.5 m
			66 ft.	20.0 m
			66 ft.	20.0 m
		(ii) (a)	4 ft.	1.2 m
		(b)	5 ft.	1.5 m
			5 ft.	1.5 m
			30 ft.	9.0 m
			10 ft.	3.0 m
			15 ft.	4.5 m
			45 ft.	13.5 m
			10 ft.	3.0 m
			25 ft.	7.5 m
			66 ft.	20.0 m
			66 ft.	20.0 m
		(iii) (a)	25 ft.	7.5 m
		(b)	5 ft.	1.5 m
			10 ft.	3.0 m
			45 ft.	13.5 m
			10 ft.	3.0 m
			45 ft.	13.5 m
		(4) (i)	40 ft.	12.0 m
			4,000 sq.ft.	360.0 m ²
		(ii)	50 ft.	15.0 m
			6,000 sq.ft.	540.0 m ²

Law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
593	10C	(4) (iii)	60 ft.	18.0 m
			6,500 sq.ft.	600.0 m ²
		(iv)	70 ft.	21.0 m
			7,000 sq.ft.	630.0 m ²
		(6)	5 ft.	1.5 m
	10D	(3)	35 ft.	11.0 m
		(4) (a)	20 ft.	6.0 m
		(b)	10 ft.	3.0 m
			20 ft.	6.0 m
		(5) (a)	12 ft.	3.5 m
		(b)	30 ft.	9.0 m
		(c)	50 ft.	15.0 m
		(6)	100 ft.	30.0 m
		(7) (a)	3,000 sq.ft.	270.0 m ²
		(b)	90 ft.	27.0 m
		(8) (a)	4 ft.	1.2 m
			6 ft.	2.0 m
		(b)	8 ft.	2.5 m
		(14)	150 ft.	45.0 m
		(15)	20 ft.	6.0 m
	10E	(3)	35 ft.	11.0 m
		(4) (a)	20 ft.	6.0 m
		(b)	10 ft.	3.0 m
			20 ft.	6.0 m

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	10E	(5) (a)	12 ft.	3.5 m
		(b)	30 ft.	9.0 m
		(c)	50 ft.	15.0 m
		(6)	100 ft.	30.0 m
		(7) (a) (i)	2,500 sq.ft.	230.0 m ²
		(ii)	75 ft.	23.0 m
		(b) (i)	1,800 sq.ft.	165.0 m ²
		(ii)	120 ft.	36.0 m
		(8) (a)	4 ft.	1.2 m
			6 ft.	2.0 m
		(b)	8 ft.	2.5 m
		(14)	150 ft.	45.0 m
		(15)	20 ft.	6.0 m
	10F	(3)	35 ft.	11.0 m
		(4) (a)	20 ft.	6.0 m
		(b)	25 ft.	7.5 m
		(c) (i)	4 ft.	1.2 m
		(ii)	6 ft.	2.0 m
		(iii)	8 ft.	2.5 m
		(d) (i)	10 ft.	3.0 m
		(5) (a)	8 ft.	2.5 m
		(b)	12 ft.	3.5 m
		(c)	16 ft.	5.0 m
		(6) (i)	2,000 sq.ft.	180.0 m ²
		(ii)	20 ft.	6.0 m

Law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	11	(1) (va)	5,000 sq.ft.	450.0 m ²
		(vb)	5,000 sq.ft.	450.0 m ²
		(vi)	20 ft.	6.0 m
			25 ft.	7.5 m
			30 ft.	9.0 m
			10 ft.	3.0 m
		(x) (e)	1,000 sq.ft.	93.0 m ²
		(t)	2 sq.ft.	0.2 m ²
		(xi)	4 sq.ft.	0.4 m ²
			5 ft.	1.5 m
		(xi) (h)	1,000 sq.ft.	93.0 m ²
		(2) (ii)	85 ft.	26.0 m
		(iii)	100 ft.	30.0 m
			125 ft.	39.0 m
		(3) (i) (a)	15 ft.	4.5 m
		(b)	10 ft.	3.0 m
			25 ft.	7.5 m
			66 ft.	20.0 m
			66 ft.	20.0 m
		(ii) (a)	4 ft.	1.2 m
		(b)	5 ft.	1.5 m
			5 ft.	1.5 m
			30 ft.	9.0 m
			10 ft.	3.0 m
			15 ft.	4.5 m
			45 ft.	13.5 m
			10 ft.	3.0 m
			25 ft.	7.5 m

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	11	(3) (ii) (b)	66 ft.	20.0 m
			66 ft.	20.0 m
		(iii) (a)	25 ft.	7.5 m
		(b)	5 ft.	1.5 m
			10 ft.	3.0 m
			45 ft.	13.5 m
			10 ft.	3.0 m
			45 ft.	13.5 m
		(4) (i)	40 ft.	12.0 m
			4,000 sq.ft.	360.0 m ²
		(ii)	40 ft.	12.0 m
			4,500 sq.ft.	405.0 m ²
		(iii)	50 ft.	15.0 m
			5,000 sq.ft.	450.0 m ²
		(iii) (a)	50 ft.	15.0 m
			5,000 sq.ft.	450.0 m ²
	11A	(1) (ii) (e)	500 sq.ft.	46.0 m ²
		(iii) (c)	2 sq.ft.	0.2 m ²
		(iv)	4 sq.ft.	0.4 m ²
			5 ft.	1.5 m
		(2) (ii)	85 ft.	26.0 m
		(iii)	100 ft.	30.0 m
			125 ft.	39.0 m
		(3) (i) (a)	15 ft.	4.5 m
		(b)	10 ft.	3.0 m
			25 ft.	7.5 m
			66 ft.	20.0 m
			66 ft.	20.0 m

-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
593	11A	(3) (ii) (a)	4 ft.	1.2 m
		(b)	5 ft.	1.5 m
			5 ft.	1.5 m
			30 ft.	9.0 m
			10 ft.	3.0 m
			15 ft.	4.5 m
			45 ft.	13.5 m
			10 ft.	3.0 m
			25 ft.	7.5 m
			66 ft.	20.0 m
			66 ft.	20.0 m
		(iii) (a)	25 ft.	7.5 m
		(b)	5 ft.	1.5 m
			10 ft.	3.0 m
			45 ft.	13.5 m
			10 ft.	3.0 m
			45 ft.	13.5 m
			40 ft.	12.0 m
		(4) (i)	4,000 sq.ft.	360.0 m ²
			40 ft.	12.0 m
		(ii)	4,500 sq.ft.	405.0 m ²
			50 ft.	15.0 m
		(iii)	5,000 sq.ft.	450.0 m ²
			5,000 sq.ft.	450.0 m ²
	11B	(1) (vii)	4 sq.ft.	0.4 m ²
			5 ft.	1.5 m
			1,000 sq.ft.	93.0 m ²
		(viii) (h)		

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	11B	(2) (ii)	85 ft.	26.0 m
		(iii)	100 ft.	30.0 m
			125 ft.	39.0 m
		(3) (i) (a)	15 ft.	4.5 m
		(b)	10 ft.	3.0 m
			25 ft.	7.5 m
			66 ft.	20.0 m
			66 ft.	20.0 m
		(ii) (a)	4 ft.	1.2 m
		(b)	5 ft.	1.5 m
			5 ft.	1.5 m
			30 ft.	9.0 m
			10 ft.	3.0 m
			15 ft.	4.5 m
			45 ft.	13.5 m
			10 ft.	3.0 m
			25 ft.	7.5 m
			66 ft.	20.0 m
			66 ft.	20.0 m
		(iii) (a)	25 ft.	7.5 m
		(b)	5 ft.	1.5 m
			10 ft.	3.0 m
			45 ft.	13.5 m
			10 ft.	3.0 m
			45 ft.	13.5 m
		(4) (i)	40 ft.	12.0 m
			4,000 sq. ft.	360.0 m ²
		(ii)	40 ft.	12.0 m
			5,000 sq. ft.	450.0 m ²

Ordinance No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	11C	(2) (c)	45 ft.	13.5 m
		(2a) (b)	10 ft.	3.0 m
		(3)	50 ft.	15.0 m
			5,000 sq.ft.	450.0 m ²
			10,000 sq.ft.	900.0 m ²
			80 ft.	24.0 m
			15,000 sq.ft.	1,350.0 m ²
			100 ft.	30.0 m
		(4)	2 sq.ft.	0.2 m ²
			square foot	0.1 m ²
		(5)	20 ft.	6.0 m
		Table E3 Lot Size	5,000 sq.ft.	450.0 m ²
			6,000 sq.ft.	540.0 m ²
			7,000 sq.ft.	630.0 m ²
			8,000 sq.ft.	720.0 m ²
			9,000 sq.ft.	810.0 m ²
			10,000 sq.ft.	900.0 m ²
			11,000 sq.ft.	1,000.0 m ²
			12,000 sq.ft.	1,100.0 m ²
			13,000 sq.ft.	1,200.0 m ²
			14,000 sq.ft.	1,300.0 m ²
			15,000 sq.ft.	1,350.0 m ²
			16,000 sq.ft.	1,500.0 m ²
			17,000 sq.ft.	1,550.0 m ²
			18,000 sq.ft.	1,650.0 m ²
			19,000 sq.ft.	1,750.0 m ²
			20,000 sq.ft.	1,850.0 m ²

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	11B	(4) (iii)	45 ft.	13.5 m
			6,000 sq.ft.	540.0 m ²
		(iv)	50 ft.	15.0 m
			6,000 sq.ft.	540.0 m ²
	11C	(1a) (a)	100 ft.	30.0 m
			85 ft.	26.0 m
		(b)	100 ft.	30.0 m
			125 ft.	39.0 m
		(c)	100 ft.	30.0 m
		(11)	185 ft.	57.0 m
		(2) (a)	10 ft.	3.0 m
			25 ft.	7.5 m
			66 ft.	20.0 m
			66 ft.	20.0 m
		(b)	5 ft.	1.5 m
			5 ft.	1.5 m
			30 ft.	9.0 m
			10 ft.	3.0 m
			15 ft.	4.5 m
			45 ft.	13.5 m
			10 ft.	3.0 m
			25 ft.	7.5 m
			66 ft.	20.0 m
			66 ft.	20.0 m
		(c)	5 ft.	1.5 m
			10 ft.	3.0 m
			45 ft.	13.5 m
			10 ft.	3.0 m

Law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	11C	Table E3 Lot Size	21,000 sq. ft.	1,950.0 m ²
			22,000 sq. ft.	2,050.0 m ²
			23,000 sq. ft.	2,100.0 m ²
			24,000 sq. ft.	2,200.0 m ²
			25,000 sq. ft.	2,300.0 m ²
			26,000 sq. ft.	2,400.0 m ²
			27,000 sq. ft.	2,500.0 m ²
			28,000 sq. ft.	2,600.0 m ²
			29,000 sq. ft.	2,675.0 m ²
			30,000 sq. ft.	2,775.0 m ²
			31,000 sq. ft.	2,875.0 m ²
			32,000 sq. ft.	2,950.0 m ²
			33,000 sq. ft.	3,050.0 m ²
			34,000 sq. ft.	3,150.0 m ²
			35,000 sq. ft.	3,250.0 m ²
			36,000 sq. ft.	3,350.0 m ²
			37,000 sq. ft.	3,450.0 m ²
			38,000 sq. ft.	3,500.0 m ²
			39,000 sq. ft.	3,600.0 m ²
			40,000 sq. ft.	3,700.0 m ²
			40,000 sq. ft.	3,700.0 m ²
		Gross Floor Area	8,500 sq. ft.	765.0 m ²
			10,200 sq. ft.	918.0 m ²
			11,900 sq. ft.	1,071.0 m ²
			13,600 sq. ft.	1,224.0 m ²
			15,300 sq. ft.	1,377.0 m ²
			17,000 sq. ft.	1,530.0 m ²
			18,700 sq. ft.	1,700.0 m ²

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	11C	Table E3 Gross Floor Area	20,400 sq.ft.	1,870.0 m ²
			22,100 sq.ft.	2,040.0 m ²
			23,800 sq.ft.	2,210.0 m ²
			25,500 sq.ft.	2,295.0 m ²
			27,744 sq.ft.	2,601.0 m ²
			30,056 sq.ft.	2,740.4 m ²
			32,436 sq.ft.	2,973.3 m ²
			34,884 sq.ft.	3,213.0 m ²
			37,400 sq.ft.	3,459.5 m ²
			39,984 sq.ft.	3,712.8 m ²
			42,636 sq.ft.	3,972.9 m ²
			45,356 sq.ft.	4,141.2 m ²
			48,144 sq.ft.	4,413.2 m ²
			51,000 sq.ft.	4,692.0 m ²
			53,924 sq.ft.	4,977.6 m ²
			56,916 sq.ft.	5,270.0 m ²
			59,976 sq.ft.	5,569.2 m ²
			63,104 sq.ft.	5,820.8 m ²
			66,300 sq.ft.	6,132.7 m ²
			69,564 sq.ft.	6,451.5 m ²
			72,896 sq.ft.	6,720.1 m ²
			76,296 sq.ft.	7,051.6 m ²
			79,764 sq.ft.	7,389.9 m ²
			83,300 sq.ft.	7,735.0 m ²
			86,904 sq.ft.	8,086.9 m ²
			90,576 sq.ft.	8,445.6 m ²
			94,316 sq.ft.	8,687.0 m ²
			98,124 sq.ft.	9,057.6 m ²
			102,000 sq.ft.	9,435.0 m ²

-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	12	(4)	50 ft.	15.0 m
		(6)	5,000 sq.ft.	450.0 m ²
		(2)	85 ft.	26.0 m
		(2)	200 ft.	60.0 m
	12A	(2)	100 ft.	30.0 m
		(3)	one foot	0.5 m
		(b)	two feet	1.0 m
		(2)	10 ft.	3.0 m
		(2)	30 ft.	9.0 m
		(c)	30 ft.	9.0 m
		(2)	1 ft.	0.5 m
		(2)	2 ft.	1.0 m
		(d)	50 ft.	15.0 m
	13	(1) (xii)	1 quart	1.127 ℓ
		(xv) (b)	3 sq.ft.	0.5 m ²
		(2)	foot	0.5 m
		(c)	6 ft.	2.0 m
		(xva) (a)	3 sq.ft.	0.5 m ²
		(2)	foot	0.5 m
		(c)	4 inches	0.1 m
		(2)	4 inches	0.1 m
		(3)	45 ft.	14.0 m
		(1)	10 ft.	3.0 m
		(ii)	4 ft.	1.2 m
		(iii) (a)	25 ft.	7.5 m
		(b)	25 ft.	7.5 m
		(c)	15 ft.	4.5 m

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	13	(4) (1)	40 ft.	12.0 m
			4,000 sq.ft.	360.0 m ²
	13A	(1) (iia)	5 acres	20,000.0 m ²
		(iib)	20 acres	8.0 ha
		(x) (b)	3 sq.ft.	0.5 m ²
			foot	0.5 m
		(c)	6 ft.	2.0 m
		(d)	3 ft.	1.0 m
			3 ft.	1.0 m
		(xi) (a)	3 sq.ft.	0.5 m ²
			foot	0.5 m
		(c)	4 inches	0.1 m
			24 inches	0.5 m
			4 inches	0.1 m
			18 inches	0.5 m
			36 inches	1.0 m
			36 feet	11.0 m
		(d)	4 inches	0.1 m
			24 inches	0.5 m
		(2)(a)1	225 sq.ft.	21.0 m ²
		3(a)	40 sq.ft.	4.0 m ²
		(b)	24 sq.ft.	2.0 m ²
		(3)	45 ft.	14.0 m
		(4)(a)	40 ft.	12.0 m
			36 ft.	11.0 m
			30 ft.	9.0 m
			36 ft.	11.0 m
		(b)	40 ft.	12.0 m

Law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
593	13A	(4)(b)	1 foot	0.5 m
			foot	0.5 m
			40 ft.	12.0 m
			15 ft.	4.5 m
			10 ft.	3.0 m
			35 sq.ft.	3.5 m ²
			15 ft.	4.5 m
			1 acre	4,000.0 m ²
		(5)	5 ft.	1.5 m
		(6)		
	13B	(1)	5 acres	20,000.0 m ²
		(11)	20 acres	8.0 ha
		(iv)	120 ft.	37.0 m
		(3)	30 ft.	9.0 m
		(4)	(a)	
		(5)	40 acres	16.0 ha
		(6)	300 sq.ft.	28.0 m ²
		(a)	500 sq.ft.	46.0 m ²
		(b)	300 sq.ft.	28.0 m ²
			300 sq.ft.	28.0 m ²
	13C	(1)	12 ft.	4.0 m
		(11)	64 sq.ft.	6.0 m ²
		(111)	12 sq.ft.	1.2 m ²
			32 sq.ft.	3.0 m ²
		(2)	200 ft.	60.0 m
		(3)	40 ft.	12.0 m
		(11)	5 ft.	1.5 m
		(111)	4 ft.	1.2 m
			6 ft.	2.0 m

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	13C	(4)	4 inches	0.1 m
6593	13D	(1) (b) (xvii)	25 sq.ft.	2.5 m ²
			16 ft.	5.0 m
			3 ft.	1.0 m
		(3)	30 ft.	9.0 m
		(4) (i)	20 ft.	6.0 m
		(ii)	20 ft.	6.0 m
		(iii)	25 ft.	7.5 m
		(5)	10,000 sq.ft.	900.0 m ²
			1 acre	4,000.0 m ²
			100 ft.	30.0 m
			100 ft.	30.0 m
			150 ft.	45.0 m
		(6)	10 ft.	3.0 m
			10 ft.	3.0 m
			20 ft.	6.0 m
	14	(1) (iii) (a)	2,000 sq.ft.	180.0 m ²
		(v)	a hundred ft.	30.0 m
		(vi)	100 ft.	30.0 m
		(xv)	100 ft.	30.0 m
		(xxi)	20 tons	18.18 tonnes
			20 tons	18.18 tonnes
		(2)	55 ft.	17.0 m
			10 ft.	3.0 m
			10 ft.	3.0 m
			55 foot	17.0 m
		(i)	55 ft.	17.0 m
		(ii)	10 ft.	3.0 m
			85 ft.	26.0 m

Law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
593	14	(3) (ii) (a)	35 ft.	11.0 m
		(b)	4 ft.	1.2 m
			9 ft.	2.7 m
			35 ft.	11.0 m
			4 ft.	1.2 m
			35 ft.	11.0 m
			9 ft.	2.7 m
			3 ft.	1.0 m
		(iii) (a)	25 ft.	7.5 m
		(b)	25 ft.	7.5 m
		(c)	15 ft.	4.5 m
		(4) (i)	40 ft.	12.0 m
		(ii)	4,000 sq.ft.	360.0 m ²
			40 ft.	12.0 m
			4,000 sq.ft.	360.0 m ²
	14A	(1) (d)	12 ft.	3.5 m
			15 ft.	4.5 m
			20 ft.	6.0 m
			6 sq.ft.	1.0 m ²
			foot	0.5 m
			55 ft.	17.0 m
		(2)	40 ft.	12.0 m
		(3)	10 ft.	3.0 m
		(a)	10 ft.	3.0 m
			1 sq.ft.	0.1 m ²
			foot	0.3 m
			10 ft.	3.0 m
			35 sq.ft.	3.5 m ²

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	14A	(3) (a)	10 ft.	3.0 m
			35 sq.ft.	3.5 m ²
		(b)	20 ft.	6.0 m
		(c)	20 ft.	6.0 m
		(4)	40 ft.	12.0 m
			4,000 sq.ft.	360.0 m ²
			50 ft.	15.0 m
			5,000 sq.ft.	450.0 m ²
		(5) (b)	2,000 sq.ft.	185.0 m ²
		(b)	2,000 sq.ft.	185.0 m ²
	15	(1) (xiii)	100 ft.	30.0 m
		(xiv) (b)	1,000 sq.ft.	93.0 m ²
			10 ft.	3.0 m
			20 ft.	6.0 m
			30 ft.	9.0 m
			6 ft.	2.0 m
		(xx) (b)	one horse power	746.0 w
		(xxi)	one horse power	746.0 w
		(xxiii)	one horse power	746.0 w
		(xxiv) (b)	one horse power	746.0 w
		(2)	120 ft.	37.0 m
		(2) (i)	120 ft.	37.0 m
		(ii)	330 ft.	100.0 m
		(3) (ii)	35 ft.	11.0 m
			4 ft.	1.2 m
			50 ft.	16.0 m
			9 ft.	2.7 m
			3 ft.	1.0 m

Law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
593	15	(3) (ii)	15 ft.	4.5 m
		(iii) (a)	25 ft.	7.5 m
		(b)	25 ft.	7.5 m
		(c)	15 ft.	4.5 m
		(4) (i)	40 ft.	12.0 m
			4,000 sq.ft.	360.0 m ²
		(ii)	40 ft.	12.0 m
			4,500 sq.ft.	405.0 m ²
		(iii)	50 ft.	15.0 m
			5,000 sq.ft.	450.0 m ²
			700 sq.ft.	65.0 m ²
			700 sq.ft.	65.0 m ²
			400 sq.ft.	38.0 m ²
		(5)	1,000 sq.ft.	93.0 m ²
			6,000 sq.ft.	540.0 m ²
			foot	0.3 m
			60 ft.	18.0 m
	15A	(1) (ii)	5,000 sq.ft.	450.0 m ²
		(xviii)(c)	50 sq.ft.	5.0 m ²
			1 sq.ft.	0.1 m ²
			foot	0.3 m
			50 ft.	15.0 m
		(2)	55 ft.	17.0 m
			10 ft.	3.0 m
			10 ft.	3.0 m
			55 ft.	17.0 m
		(2) (1)	55 ft.	17.0 m

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	15A	(2) (ii)	10 ft.	3.0 m
			200 ft.	60.0 m
		(3) (i)	55 ft.	17.0 m
		(ii)	10 ft.	3.0 m
	15B	(5) (c)	3 sq.ft.	0.5 m ²
			foot	0.5 m
		(e)	6 ft.	2.0 m
		(f)	3 ft.	1.0 m
		(8) (a)	125 ft.	39.0 m
		(b)	185 ft.	57.0 m
		(c)	250 ft.	77.0 m
		(9) (a)	20 ft.	6.0 m
			30 ft.	9.0 m
		(b)	15 ft.	4.5 m
			45 ft.	13.5 m
		(10)	15 ft.	4.5 m
		(11) (b)	15 ft.	4.5 m
		(13)	8,000 sq.ft.	720.0 m ²
		(14)	15,000 sq.ft.	1,350.0 m ²
		(16) (i)	15,000 sq.ft.	1,350.0 m ²
		(Col. 1)	15,000 sq.ft.	1,350.0 m ²
			16,000 sq.ft.	1,500.0 m ²
			17,000 sq.ft.	1,550.0 m ²
			18,000 sq.ft.	1,650.0 m ²
			19,000 sq.ft.	1,750.0 m ²
			20,000 sq.ft.	1,850.0 m ²
			21,000 sq.ft.	1,950.0 m ²
			22,000 sq.ft.	2,050.0 m ²

-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	15B	(16) (1) (Col. 1)	23,000 sq.ft.	2,100.0 m ²
			24,000 sq.ft.	2,200.0 m ²
			25,000 sq.ft.	2,300.0 m ²
			26,000 sq.ft.	2,400.0 m ²
			27,000 sq.ft.	2,500.0 m ²
			28,000 sq.ft.	2,600.0 m ²
			29,000 sq.ft.	2,675.0 m ²
			30,000 sq.ft.	2,775.0 m ²
			31,000 sq.ft.	2,875.0 m ²
			32,000 sq.ft.	2,950.0 m ²
			33,000 sq.ft.	3,050.0 m ²
			34,000 sq.ft.	3,150.0 m ²
			35,000 sq.ft.	3,250.0 m ²
			36,000 sq.ft.	3,350.0 m ²
			37,000 sq.ft.	3,450.0 m ²
			38,000 sq.ft.	3,500.0 m ²
			39,000 sq.ft.	3,600.0 m ²
			40,000 sq.ft.	3,700.0 m ²
		(Col. 3)	25,500 sq.ft.	2,295.0 m ²
			27,744 sq.ft.	2,601.0 m ²
			30,056 sq.ft.	2,740.4 m ²
			32,436 sq.ft.	2,973.3 m ²
			34,884 sq.ft.	3,213.0 m ²
			37,400 sq.ft.	3,459.5 m ²
			39,984 sq.ft.	3,712.8 m ²
			42,636 sq.ft.	3,972.9 m ²
			45,356 sq.ft.	4,141.2 m ²
			48,144 sq.ft.	4,413.2 m ²
			51,000 sq.ft.	4,692.0 m ²

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	15B	(16) (i) (Col. 3)	53,924 sq.ft.	4,977.6 m ²
			56,916 sq.ft.	5,270.0 m ²
			59,976 sq.ft.	5,569.2 m ²
			63,104 sq.ft.	5,820.8 m ²
			66,300 sq.ft.	6,132.7 m ²
			69,564 sq.ft.	6,451.5 m ²
			72,896 sq.ft.	6,720.1 m ²
			76,296 sq.ft.	7,051.6 m ²
			79,764 sq.ft.	7,389.9 m ²
			83,300 sq.ft.	7,735.0 m ²
			86,904 sq.ft.	8,086.9 m ²
			90,576 sq.ft.	8,445.6 m ²
			94,316 sq.ft.	8,687.0 m ²
			98,124 sq.ft.	9,057.6 m ²
			102,000 sq.ft.	9,435.0 m ²
		(11)	40,000 sq.ft.	3,700.0 m ²
		(17) (b) (i)	15,000 sq.ft.	1,350.0 m ²
			40,000 sq.ft.	3,700.0 m ²
		(11)	40,000 sq.ft.	3,700.0 m ²
			55,000 sq.ft.	5,100.0 m ²
		Lot Size	41,000 sq.ft.	3,800.0 m ²
			42,000 sq.ft.	3,900.0 m ²
			43,000 sq.ft.	3,975.0 m ²
			44,000 sq.ft.	4,075.0 m ²
			45,000 sq.ft.	4,175.0 m ²
			46,000 sq.ft.	4,250.0 m ²
			47,000 sq.ft.	4,350.0 m ²
			48,000 sq.ft.	4,450.0 m ²
			49,000 sq.ft.	4,550.0 m ²

Law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	15B	(17) (b) (ii) Lot Size =	50,000 sq.ft.	4,650.0 m ²
			51,000 sq.ft.	4,750.0 m ²
			52,000 sq.ft.	4,850.0 m ²
			53,000 sq.ft.	4,900.0 m ²
			54,000 sq.ft.	5,000.0 m ²
			55,000 sq.ft.	5,100.0 m ²
			105,329 sq.ft.	9,762.2 m ²
			108,654 sq.ft.	10,089.3 m ²
			112,058 sq.ft.	10,358.8 m ²
			115,500 sq.ft.	10,696.8 m ²
			118,980 sq.ft.	11,038.7 m ²
			122,452 sq.ft.	11,313.5 m ²
			126,007 sq.ft.	11,662.3 m ²
			130,464 sq.ft.	12,095.1 m ²
			134,113 sq.ft.	12,453.3 m ²
			137,800 sq.ft.	12,815.4 m ²
		Gross Floor Area	141,474 sq.ft.	13,176.5 m ²
			145,236 sq.ft.	13,546.05 m ²
			149,036 sq.ft.	13,778.8 m ²
			152,820 sq.ft.	14,150.0 m ²
			156,750 sq.ft.	14,535.0 m ²
			55,000 sq.ft.	5,100.0 m ²
		(17) (b) (iii)	300 sq.ft.	28.0 m ²
		(19) (a)	300 sq.ft.	28.0 m ²
		(b) (1)	100 sq.ft.	9.0 m ²
		(11)	400 sq.ft.	37.0 m ²
		(28) (d)	1,000 sq.ft.	93.0 m ²
		(30) (1)	2,000 sq.ft.	185.0 m ²
		(iii,		

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	15B	(34) (b)	20,000 sq.ft.	1,848.0 m ²
			1,000 sq.ft.	93.0 m ²
	16	(1) (ix) (a)	100 ft.	30.0 m
		(xx) (a)	10 h.p.	7,460.0 w
		(2)	120 ft.	37.0 m
		(2) (i)	120 ft.	37.0 m
		(ii)	55 ft.	17.0 m
		(3)	15 ft.	4.5 m
	16A	(1) (ej)	1,500 sq.ft.	140.0 m ²
		(f) (i)	6 sq.ft	1.0 m ²
			foot	0.5 m
		(ii)	20 ft.	6.0 m
			15 ft.	4.5 m
			12 ft.	3.5 m
		(iii)	4 inches	0.1 m
			24 inches	0.5 m
			4 inches	0.1 m
		(2)	55 ft.	17.0 m
		(3) (a)	20 ft.	6.0 m
		(b)	15 ft.	4.5 m
		(c)	20 ft.	6.0 m
		(4)	40 ft.	12.0 m
			4,000 sq.ft.	360.0 m ²
		(5)	750 sq.ft.	70.0 m ²

Law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
593	16B	(2) (i)	50 ft.	15.0 m
		(ii)	15 ft.	4.5 m
		(iii)	20 ft.	6.0 m
		(3)	1 acre	4,000.0 m ²
			100 ft.	30.0 m
		(6)	500 sq.ft.	46.0 m ²
	17	(2)	120 ft.	37.0 m
		(3)	15 ft.	4.5 m
	17A	(1) (d) (i)	6 sq.ft.	1.0 m ²
			foot	0.5 m
		(ii)	20 ft.	6.0 m
			15 ft.	4.5 m
			12 ft.	3.5 m
		(iii)	4 inches	0.1 m
			24 inches	0.5 m
			4 inches	0.1 m
		(2)	55 ft.	17.0 m
	17C	(5) (b)	6 sq.ft.	1.0 m ²
			foot	0.5 m
		(c) (i)	20 ft.	6.0 m
			15 ft.	4.5 m
			12 ft.	3.5 m
		(6) (a)	2 ft.	0.5 m
			4 inches	0.1 m
		(b)		

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	17C	(7)	45 ft.	14.0 m
		(7)	45 ft.	14.0 m
		(9)	feet	metres
		(9)	feet	metres
		Front Yard	40 ft	12.0 m
			40 ft.	12.0 m
			20 ft.	6.0 m
			20 ft.	6.0 m
		Rear Yard	25 ft.	7.5 m
			25 ft.	7.5 m
			25 ft.	7.5 m
			25 ft.	7.5 m
		(10)	25 ft.	7.5 m
		(10)	25 ft.	7.5 m
		(11)	20 ft.	6.0 m
		(11)	20 ft.	6.0 m
		(12) (a)	100 ft.	30.0 m
			12,000 sq.ft.	1,100.0 m ²
		(16) (1)	25 ft.	7.5 m
		(1)	25 ft.	7.5 m
		(2)	45 ft.	13.5 m
			25 ft.	7.5 m
		(19) (a)	500 sq.ft.	46.0 m ²
		(b)	400 sq.ft.	37.0 m ²
		(21) (a)	20,000 sq.ft.	1,848.0 m ²
		(b)	50 ft.	15.2 m
			12 ft.	3.6 m
			14 ft.	4.3 m

w No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
	17C	(23)	25 ft.	7.5 m
		(24) (b)	5 ft.	1.5 m
			10 ft.	3.0 m
			300 ft.	90.0 m
		(25)	300 ft.	90.0 m
	18	(2) (1)	5 ft.	1.5 m
			10 ft.	3.0 m
		(11)	75 ft.	23.0 m
			one foot	0.5 m
			one foot	0.5 m
			2 feet	1.0 m
			one foot	0.5 m
		(11a)	two feet	1.0 m
			85 ft.	26.0 m
		(111)	175 ft.	53.0 m
		(3) (11)	100 ft.	30.0 m
			200 sq.ft.	18.5 m ²
		(1v)(a11)	5 ft.	1.5 m
		(ac) (2)	15 ft.	4.5 m
		(3)	5 ft.	1.5 m
		(b) (2)	15 ft.	4.5 m
			8 ft.	2.5 m
		(3)	22 ft.	6.7 m
			11 ft.	3.5 m
			8 ft.	2.5 m
			22 ft.	6.7 m
			11 ft.	3.5 m
			900 sq.ft.	84.0 m ²

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	18	(3) (iv)(b) (3)	27 ft.	8.2 m
			18 ft.	5.5 m
			10 ft.	3.0 m
			11 ft.	3.5 m
			8 ft.	2.5 m
			20 ft.	6.0 m
			10 ft.	3.0 m
			18 ft.	5.5 m
			180 sq.ft.	16.7 m ²
			8 ft.	2.5 m
			21.3 ft.	6.5 m
			11 ft.	3.5 m
			8 ft.	2.5 m
			19.8 ft.	6.0 m
			11 ft.	3.5 m
			8 ft.	2.5 m
			17 ft.	5.2 m
			10 ft.	3.0 m
		(c) (1)	5 ft.	1.5 m
			7.5 ft.	2.3 m
		(c) (2)	15 ft.	4.5 m
			10 ft.	3.0 m
			18 ft.	5.5 m
			10 ft.	3.0 m
			7.5 ft.	2.3 m
			18 ft.	5.5 m
			15 ft.	4.5 m
			10 ft.	3.0 m
			18 ft.	5.5 m

Law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	18	(3) (iv) (c) (3)	9 ft.	2.7 m
		(d)	500 sq.ft.	46.0 m ²
			5,000 sq.ft.	450.0 m ²
		(e)	300 ft.	90.0 m
			600 ft.	180.0 m
		(ivb)(b)	4 inches	0.1 m
		(c)	4 ft.	1.2 m
			6 ft.	2.0 m
		(ivc)(a)	20 ft.	6.0 m
		(b)	10 ft.	3.0 m
			10 ft.	3.0 m
		(e)	10 ft.	3.0 m
		(f)	10 ft.	3.0 m
		(g)	4 inches	0.1 m
		(ive)(b)	20 ft.	6.0 m
		(c)	10 ft.	3.0 m
		(v)	3 ft.	0.9 m
			10 ft.	3.0 m
		(vi) .(a)	one foot	0.5 m
			2 ft.	1.0 m
		(b) (i)	5 ft.	1.5 m
			5 ft.	1.5 m
		(ii)	5 ft.	1.5 m
		(iii)	3 ft.	1.0 m
		(bb)	3 ft.	1.0 m
		(c) (i)	3 ft.	1.0 m
		(ii)	3 ft.	1.0 m
		(cc) (i)	3 ft.	1.0 m
			5 ft.	1.5 m

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	18	(3) (vi)(cc)(ii)	3 ft.	1.0 m
		(iii)	3 ft.	1.0 m
		(ccc)(i)	4 ft.	1.2 m
			5 ft.	1.5 m
		(ii)	4 ft.	1.2 m
		(iii)	4 ft.	1.2 m
			10 ft.	3.0 m
		(d)	10 ft.	3.0 m
			5 ft.	1.5 m
			3 ft.	1.0 m
		(dd)	5 ft.	1.5 m
		(e)	3 ft.	1.0 m
			2 ft.	0.5 m
			5 ft.	1.5 m
		(f)	10 ft.	3.0 m
			6 ft.	2.0 m
			2½ ft.	0.8 m
			30 ft.	9.0 m
		(4) (ib) A	4 ft.	1.2 m
		(ic) A	2 ft. 6 inches	1.0 m
		(iii)	12 ft.	4.0 m
			12 ft.	4.0 m
			10 ft.	3.0 m
		(iv)	18 inches	0.5 m
			20 ft.	6.0 m
			8 ft.	2.5 m
		(iv) (a)	one foot	0.5 m

Row No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
3	18	(4) (iv) (b)	5 ft.	1.5 m
			2 ft.	0.5 m
			4 ft.	1.2 m
			5 ft.	1.5 m
		(6) (ii)	20,000 sq. ft.	1,848.0 m ²
			3,000 sq. ft.	270.0 m ²
			10 ft.	3.0 m
			25 ft.	7.5 m
			14 ft.	4.3 m
			7,500 sq. ft.	690.0 m ²
		(9)	30 ft.	9.0 m
			20 ft.	6.0 m
	19	(iii)	700 sq. ft.	65.0 m ²
		(vi)	3,000 sq. ft.	270.0 m ²
		(vii)	3,000 sq. ft.	270.0 m ²
		(viii)	3,000 sq. ft.	270.0 m ²
			5,000 sq. ft.	450.0 m ²
			700 sq. ft.	65.0 m ²
			400 sq. ft.	37.0 m ²
	19A	(1)	25 sq. ft.	2.5 m ²
			40 ft.	12.0 m
			12 sq. ft.	1.2 m ²
			10 ft.	3.0 m

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	19A	(2)	40 ft.	12.0 m
			20 ft.	6.0 m
			1 sq. ft.	0.1 m ²
			foot	0.3 m
			foot	0.3 m
			40 ft.	12.0 m
			1 sq. ft.	0.1 m ²
			600 sq. ft.	56.0 m ²
	Schedule 19A(1)	1	1/4 mile	0.4 km
			1,320 ft.	402.34 m
			420 ft.	128.02 m
			420 ft.	128.02 m
			335 ft.	102.11 m
			125 ft.	38.1 m
			250 ft.	76.2 m
			350 ft.	106.68 m
			250 ft.	76.2 m
			225 ft.	68.58 m
	Schedule 19A(2)	1	625 ft.	190.5 m
		2	335 ft.	102.11 m
			125 ft.	38.1 m
			250 ft.	76.2 m
			350 ft.	106.68 m
			250 ft.	76.2 m
			225 ft.	68.58 m

Law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
93	Schedule "D"	(Column 5)	66 ft.	20.12 m
			66 ft.	20.12 m
			86 ft.	26.21 m
			86 ft.	26.21 m
			86 ft.	26.21 m
			86 ft.	26.21 m
			86 ft.	26.21 m
			86 ft.	26.21 m
			120 ft.	36.58 m
			86 ft.	26.21 m
			86 ft.	26.21 m
			86 ft.	26.21 m
			86 ft.	26.21 m
			86 ft.	26.21 m
			86 ft.	26.21 m
			86 ft.	26.21 m
			86 ft.	26.21 m
	Schedule "C"	(Column 2) 1.(a)	500 ft.	152.4 m
			500 ft.	152.4 m
			500 ft.	152.4 m
			500 ft.	152.4 m
			500 ft.	198.12 m
		2.(a)	650 ft.	114.3 m
		(b)	375 ft.	152.4 m
		(Column 3) 1.(a)	500 ft.	152.4 m
			500 ft.	228.6 m
		2.(a)	750 ft.	

By-law No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
6593	20	(2)	10 ft. to the inch	1:100
			20 ft. to the inch	1:200
	Schedule "D"	(Column 4)	66 ft.	20.12 m
			81 ft.	24.69 m
			76 ft.	23.16 m
			66 ft.	20.12 m
			50 ft.	15.24 m
			48 ft.	14.63 m
			66 ft.	20.12 m
			76 ft.	23.16 m
			66 ft.	20.12 m
			66 ft.	20.12 m
			66 ft.	20.12 m
			66 ft.	20.12 m
			83 ft.	25.30 m
			66 ft.	20.12 m
			66 ft.	20.12 m
			66 ft.	20.12 m
		(Column 5)	86 ft.	26.21 m
			86 ft.	26.21 m
			86 ft.	26.21 m
			86 ft.	26.21 m
			86 ft.	26.21 m

w No.	Col. 1 Section	Col. 2 Sub-section	Col. 3 Imperial Unit	Col. 4 Metric Unit
	Schedule "C"	(Column 3) 2.(b)	430 ft.	131.06 m
		3	600 ft.	182.88 m
		(Column 4)	43 ft.	13.11 m
			43 ft.	13.11 m
			43 ft.	13.11 m
			43 ft.	13.11 m
			50 ft.	15.24 m
			50 ft.	15.24 m
			50 ft.	15.24 m
			50 ft.	15.24 m

BY-LAW NO. 79 - 289

TO ESTABLISH AND LAY OUT BLOCK "A"
AND PORTION OF BLOCK "IX" AS A HIGHWAY
TO SET APART BLOCK "A" AND PORTION OF
BLOCK "IX" FOR THE PURPOSE OF A FOOTPATH

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 453 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to set apart so much of the highway as the Council may consider necessary for the purpose of a footpath.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to establish as highway the lands described in Schedule "A" at a width of approximately 40 feet.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to set aside the whole of the highway so established for the purposes of a footpath.

AND WHEREAS the lands required for such purpose are owned by The Corporation of the City of Hamilton.

AND WHEREAS Section 450 of the said The Municipal Act requires that the Council may not lay out any highway less than 20 metres wide without the approval of the Minister of Housing.

AND WHEREAS the Honourable Claude F. Bennett, the Minister of Housing has, by document dated September 10, 1979, (copy of which is attached hereto as Schedule "B"), granted approval to the laying out of Block "A" and portion of Block "IX" as described herein.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

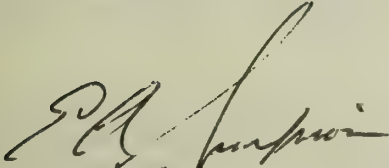
1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway.
2. The whole of the lands described in Schedule "B" are hereby set

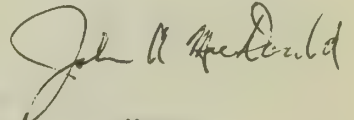
- 2 -

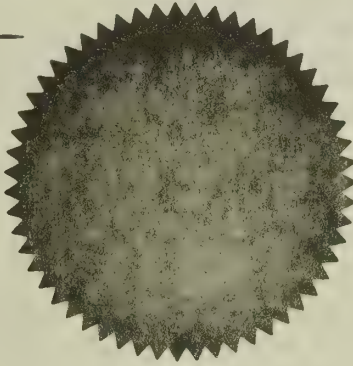
apart for the purposes of a footpath.

3. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands and set apart the said lands for the purposes of a footpath.

PASSED this 9th day of October, A.D. 1979.


City Clerk


Mayor



SCHEDULE "A"First

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Block A according to Gourley Park registered in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-130.

Secondly:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Block "IX" according to the said Gourley Park, and which said parcel may be more particularly described as follows:

Premising that all bearings herein are astronomic and are referred to the western limit of Block "IX" Gourley Park on a course of North $17^{\circ}28'50''$ East.

Commencing at the south-west angle of Block 'A' Gourley Park.

Thence North $17^{\circ}28'50''$ East along the western limit of Block 'A', being also the eastern limit of Block "IX", forty point zero eight feet (40.08') more or less to the north-west angle of Block 'A'.

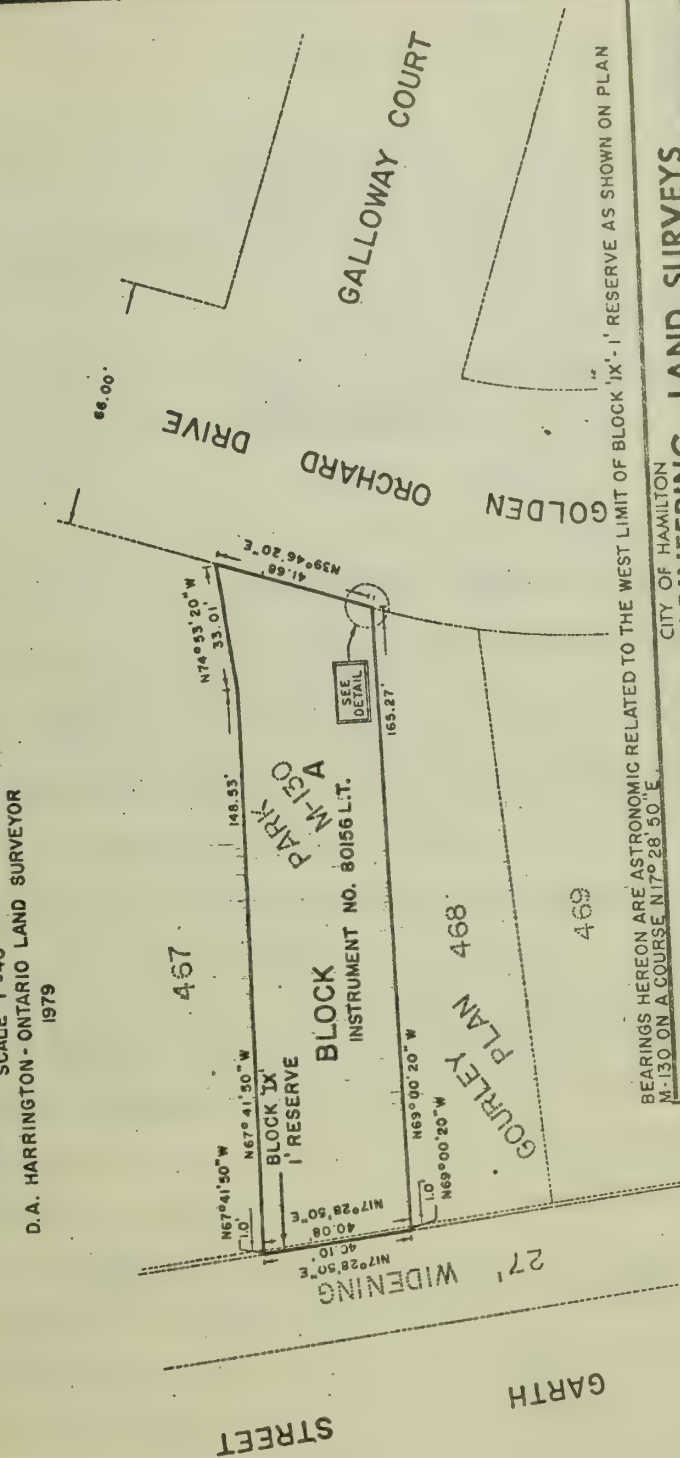
Thence North $67^{\circ}41'50''$ West along the production westerly of the said northern limit of Block 'A', one point zero feet (1.0') more or less to the western limit of Block 'IX'.

Thence South $17^{\circ}28'50''$ West along the said western limit of Block "IX", forty point one zero feet (40.10') more or less to the production westerly of the southern limit of Block "A".

Thence South $69^{\circ}00'20''$ East along the last mentioned production one point zero feet (1.0') more or less to the point of commencement.

The above described parcels being shown in heavy outline on Plan N.S. 2314 Surveys hereto attached.

SKETCH TO ILLUSTRATE THE DESCRIPTION OF
BLOCK A & PART OF BLOCK 'IX' - 1' RESERVE - GOURLEY PARK PLAN M-130
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
SCALE 1"=40'
D.A. HARRINGTON - ONTARIO LAND SURVEYOR
1979



CITY OF HAMILTON

DEPARTMENT OF ENGINEERING - LAND SURVEYS

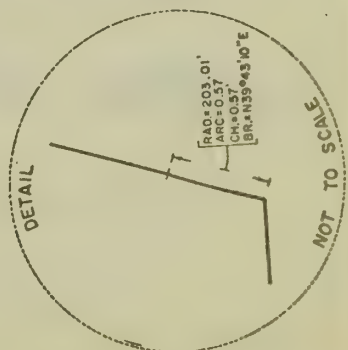
BEARINGS HEREON ARE ASTRONOMIC RELATED TO THE WEST LIMIT OF BLOCK 'IX' - 1' RESERVE AS SHOWN ON PLAN M-130 ON A COURSE N17°28'50"E

GARTH STREET - GOLDEN ORCHARD DRIVE - BY-LAW TO ESTABLISH WALKWAY.	DATE	FEBRUARY	1979
SURVEY BY COMP.	FILE NO.	845-0001	CHECKED BY H.S.
DRAWN BY J.P.	FIELD BOOK	REF. DWG'S P-635	SCALE

CITY SURVEYOR *D.A. Harrington* O.L.S.

APPROVED *W. J. P.* CITY ENGINEER

PLAN No. NS - 2314 SURVEYS



10/9/79



-824-

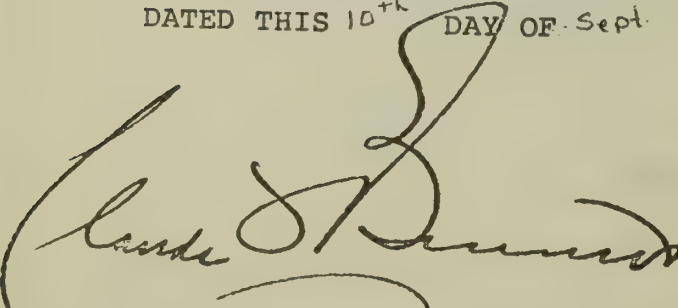
Office of the
Minister

Ministry
of
Housing

SCHEDULE "B"

APPROVAL IS HEREBY GIVEN UNDER SECTION 450 OF THE MUNICIPAL ACT TO THE LAYING OUT OF A PUBLIC HIGHWAY ON BLOCK A PLAN M-130 IN THE CITY OF HAMILTON, REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH AT LESS THAN 66 FEET IN WIDTH. THE LANDS TO BE LAID OUT AT A REDUCED WIDTH ARE SHOWN AS BLOCK A AND THE ADJOINING 40.08 FEET OF BLOCK IX (A ONE FOOT RESERVE) PLAN M-130 REGISTERED IN THE LAND TITLES OFFICE FOR THE REGISTRY DIVISION OF WENTWORTH (No. 62) ON JANUARY 31, 1974.

DATED THIS 10th DAY OF Sept. 1979.


CLAUDE F. LENNETT
MINISTER

10/9/79

Bill No. 295

BY-LAW NO. 79 - 290

TO ESTABLISH AND LAY OUT BLOCK "H" AS A HIGHWAY
TO SET APART BLOCK "H" FOR THE PURPOSE OF A FOOTPATH

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 453 of The Municipal Act, R.S.O. 1970, Chapter 284 and amendments thereto to set apart so much of the highway as the Council may consider necessary for the purpose of a footpath.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to establish as highway the lands described in Schedule "A" at a width of approximately 50 feet.

AND WHEREAS the lands required for such purpose are owned by The Corporation of the City of Hamilton.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to set aside the whole of the highway so established for the purposes of a footpath.

AND WHEREAS Section 450 of the said The Municipal Act requires that the Council may not lay out any highway less than 20 metres wide without the approval of the Minister of Housing.

AND WHEREAS the Honourable Claude F. Bennett, the Minister of Housing has, by document dated September 10, 1979, (copy of which is attached hereto as Schedule "B"), granted approval to the laying out of Block "H" as described herein.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

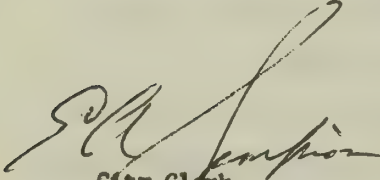
1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway.
2. The whole of the lands described in Schedule "B" are hereby set apart

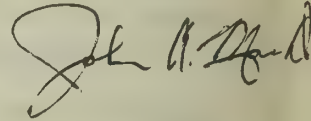
- 2 -

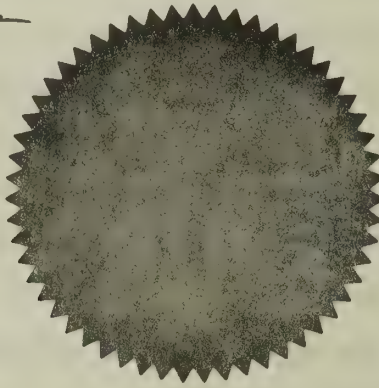
for the purpose of a footpath.

3. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands and set apart the said lands for the purposes of a footpath.

PASSED this 9th day of October, A.D. 1979.


City Clerk


Mayor



10/9/79

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Block H according to Quinndale Gardens tiled in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-112.

The above described parcel being shown in heavy outline on Plan N.S. 2320 Surveys hereto attached.

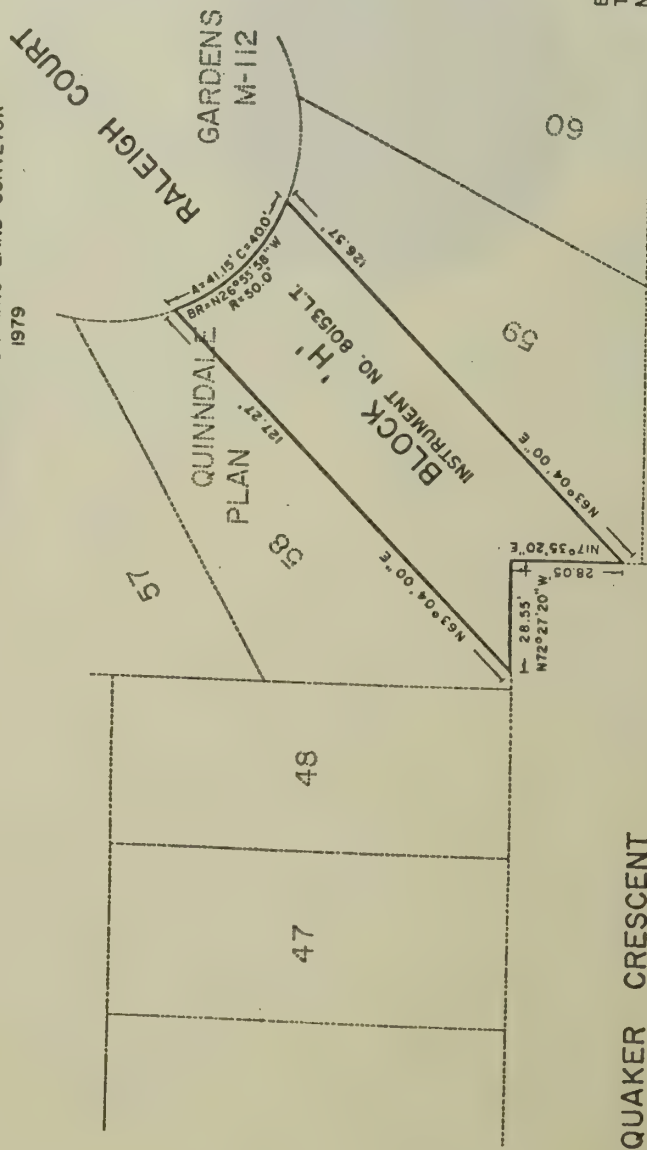
SKETCH TO ILLUSTRATE THE DESCRIPTION OF
BLOCK 'H'-QUINNDALE GARDENS PLAN M-112
IN THE

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

SCALE 1"=40'

D.A. HARRINGTON - ONTARIO LAND SURVEYOR
1979



BEARINGS SHOWN HEREON ARE ASTROMOMIC AND ARE REFERRED
TO THE SOUTHERN LIMIT OF BLOCK 'H' SHOWN ON PLAN M-112 AS
N63°04'00\"/>

QUAKER CRESCENT

CITY OF HAMILTON	
DEPARTMENT OF ENGINEERING - LAND SURVEYS	
RALEIGH COURT - QUAKER CRESCENT - BY-LAW TO ESTABLISH WALKWAY.	
SURVEY BY COMP.	FILE NO. 845-0001
DRAWN BY J.P.	SCALE
	DATE FEBRUARY, 1979
	CHECKED BY H.S.
APPROVED	CITY SURVEYOR
	PLAN No. NS-2320 SURVEYS



10/9/79

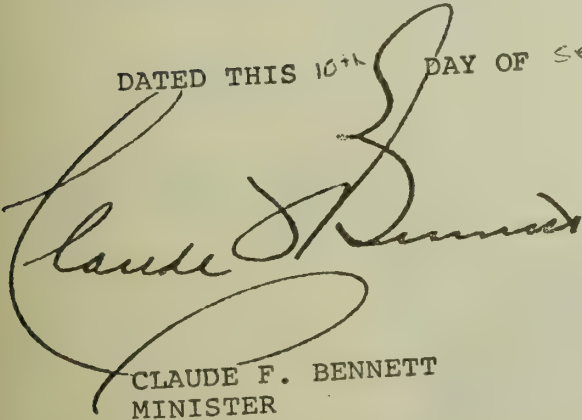
Ministry
of
Housing

Hearst Block
Queen's Park
Toronto Ontario
M7A 2K5
416/965-6456

SCHEDULE "B"

APPROVAL IS HEREBY GIVEN UNDER SECTION 450 OF THE MUNICIPAL ACT TO THE LAYING OUT OF A PUBLIC HIGHWAY ON BLOCK H PLAN M-112 IN THE CITY OF HAMILTON, REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH AT LESS THAN 66 FEET IN WIDTH. THE LANDS TO BE LAID OUT AT A REDUCED WIDTH ARE SHOWN AS BLOCK H PLAN M-112 REGISTERED IN THE LAND TITLES OFFICE FOR THE REGISTRY DIVISION OF WENTWORTH (No. 62) ON SEPTEMBER 26, 1973.

DATED THIS 10th DAY OF Sept. 1979.


CLAUDE F. BENNETT
MINISTER

BY-LAW No. 79- 291

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 9TH DAY OF OCTOBER A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

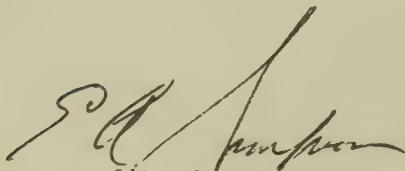
AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

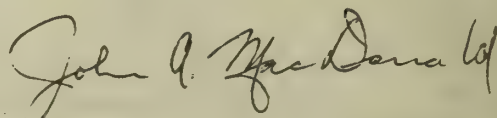
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

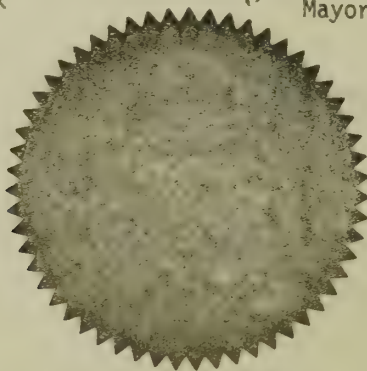
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 9th day of October A.D., 1979.


City Clerk


Mayor



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 79 - 292

TO CONTROL NOISE

WHEREAS section 95a of The Environmental Protection Act, 1971 as enacted by section 3 of The Environmental Protection Act, 1974 (No. 2) provides as follows:

- 95a (1) The councils of local municipalities may, subject to the approval of the Minister, pass by-laws,
- (a) regulating or prohibiting the emission of sounds or vibrations;
 - (b) providing for the licensing of persons, equipment and premises, or any of them, with respect to the emission of sounds or vibrations;
 - (c) prescribing maximum permissible levels of sounds or vibrations that may be emitted;
 - (d) prescribing procedures for determining the levels of sounds or vibrations that are emitted;

and such a by-law may make different provision for different areas of a local municipality and may make provisions for exempting any person, equipment or premises from any provision of the by-law for such period of time and subject to such terms and conditions as may be set out or provided for in the by-law.

- (2) A by-law passed by the council of a local municipality pursuant to subsection 1 may adopt by reference, in whole or in part, with such changes as the council considers necessary any code, formula, standard, or procedure and may require compliance with any code, standard or procedure so adopted.
- (3) Part XXI of The Municipal Act applies to by-laws passed under this section.

AND WHEREAS it is desirable to regulate or prohibit undesired sound and vibration in order to produce a satisfactory acoustic environment wherein the character and magnitude of all sounds or vibrations are compatible with the satisfactory use of any premises or other place for its intended purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law all the words which are of a technical nature and are related to sound and vibration shall have the meanings specified for them in schedule 1, Publication NPC-101 - Technical Definitions; and
 1. "applicable Publication" means a Publication referred to in the provisions of this by-law including a schedule hereto;
 2. "authorized emergency vehicle" has the same meaning as in Traffic By-Law No. 66-100;
 3. "certificate" means a certificate of Competency in Environmental Acoustics Technology of a specified class issued by the Minister;
 4. "Chief Noise Control Officer" means the official who is the certificate holder appointed by the council for the purpose of the administration and enforcement of this by-law;
 5. "City" means the corporation of the City of Hamilton;
 6. "constable" means a police constable who is a member of the Hamilton-Wentworth Regional Police Force;
 7. "construction" includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith;
 8. "construction equipment" means any equipment or device designed and intended for use in construction, or material handling, including but not limited to, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment;
 9. "construction site" means the area or portion of land used for construction or any other area used for any purpose related to the construction or for any related purpose;
 10. "conveyance" includes a vehicle and any other device used to transport a person or persons or goods from place to place but does not include any vehicle or device operated only within the premises of a person;
 11. "council" means the council of the Corporation of the City of Hamilton;

12. "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for or used by, the general public for the passage of vehicles;
13. "Minister" means the Minister of the Environment;
14. "Ministry" means the Ministry of the Environment;
15. "motor vehicle" includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicle running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of The Highway Traffic Act;
16. "motorized conveyance" means a conveyance propelled or driven otherwise than by muscular, gravitational or wind power;
17. "municipality" means the land within the geographic limit of the Corporation of the City of Hamilton;
18. "noise" means unwanted sound;
19. "noise control inspector" means any person who is a certificate holder appointed to assist the Chief Noise Control Officer;
20. "point of reception" means any point on a premises of a person where sound or vibration originating from other than those premises is received;
21. "Publication" means a specified publication of the Noise Pollution Control Section of the Pollution Control Branch of the Ministry of the Environment named in schedule 1;
22. "quiet zone" means an area of the municipality designated as a quiet zone in schedule 5 of this by-law;
23. "residential area" means an area of the municipality designated as a residential area in schedule 5 of this by-law;
24. "source" or "source of sound or vibration" means an activity, matter, thing, or tangible personal property or real property, from which sound or vibration is emitted;
25. "stationary source" means a source of sound which does not normally move from place to place and includes the premises of a person as one stationary source unless the dominant source on the premises is construction equipment or a conveyance;

2. (1) No person shall emit or cause to permit the emission of sound resulting:

- (a) from a stationary source such that the level of resultant sound at a point of reception located in a Quiet Zone or Residential Area, exceeds the applicable sound level limit prescribed in schedule 1, Publication NPC-105 - Stationary Sources;
 - (b) from an act listed in schedule 2 - General Prohibitions, and which sound is clearly audible at a point of reception;
 - (c) from any act listed in schedule 3 - Prohibitions by Time and Place, if clearly audible at a point of reception located in an area of the municipality specified in schedule 3 within a prohibited time shown for such an area.
- (2) Clause (a) of subsection 1 does not apply to impulsive sound, motorized conveyances or to blasting;
- (3) Clause (a) of subsection 1 and sections 2, 4, 5, 8 and 10 of schedule 3 do not apply to the area of the City bounded by Barton Street, Wellington Street, the southerly limits of Hamilton Harbour and the easterly limits of the City.

3. No person shall emit or cause or permit the emission of any sound,

- (a) from any piece of construction equipment of a type referred to in schedule 1, Publication NPC-115 - Construction Equipment, at a work site, any part of which is located within 600 m of a Residential Area or a Quiet Zone, unless,
 - (i) the piece of construction equipment was put into use prior to January 1, 1979; or
 - (ii) the piece of construction equipment bears a label affixed by the manufacturer or distributor which states,
 - A. the year of manufacture, and
 - B. that the item of equipment complies with the residential sound emission standards set out in Publication NPC-115 - Construction Equipment, as applicable to that type of equipment and date of manufacture; or
 - (iii) the owner, operator, manufacturer or distributor provides proof that the item of equipment complies with the residential sound emission standard set out in Publication NPC-115 - Construction Equipment, as applicable to that type of equipment and date of manufacture;
- (b) from any piece of construction equipment of a type referred to in schedule 1, Publication NPC-115 - Construction Equipment, at a work site, any part of which is located in a Quiet Zone, unless,
 - (i) the piece of construction equipment bears a label affixed by the manufacturer or distributor which states,
 - A. the year of manufacture, and
 - B. that the item of equipment complies with the Quiet Zone sound emission standard set out in Publication NPC-115 - Construction Equipment as applicable to that type of equipment and date of manufacture; or

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- (ii) the owner, operator, manufacturer or distributor provides proof that the item of equipment complies with the Quiet Zone sound emission standard set out in Publication NPC-115 - Construction Equipment, as applicable to that type of equipment and date of manufacture;
- (c) from any domestic outdoor power tool of a type referred to in schedule 1, Publication NPC-117 - Domestic Outdoor Power Tools, which device is powered by an electric motor or an internal combustion engine, unless,
 - (i) the device was put into use prior to January 1, 1979; or
 - (ii) the device bears a label affixed by the manufacturer or distributor which states,
 - A. the year of manufacture, and
 - B. that the device complies with the sound emission standard set out in Publication NPC-117 - Domestic Outdoor Power Tools, as applicable to that type of device and date of manufacture, or
 - (iii) the owner, operator, manufacturer or distributor provides proof that the device complies with the sound emission standard set out in Publication NPC-117 - Domestic Outdoor Power Tools, as applicable to that type of device and date of manufacture;
- (d) from any air conditioning device of a type referred to in schedule 1, Publication NPC-116 - Residential Air Conditioners, unless,
 - (i) the device was put into use prior to January 1, 1979; or
 - (ii) the device bears a label affixed by the manufacturer or distributor which states,
 - A. the year of manufacture, and
 - B. that the device complies with the sound emission standard set out in Publication NPC-116 - Residential Air Conditioners as applicable to that type of device and date of manufacture; or
 - (iii) the owner, operator, manufacturer or distributor provides proof that the device complies with the sound emission standard set out in Publication NPC-116 - Residential Air Conditioners, as applicable to that type of device and date of manufacture;
- (e) from any motorized conveyance of a type referred to in schedule 1, Publication NPC-118 - Motorized Conveyances, unless the motorized conveyance complies with the sound emission standard set out in Publication NPC-118 - Motorized Conveyances, as applicable to that type of motorized conveyance and date of manufacture.

4. Where clause (a) of subsection 1 of section 2 apply to a source of sound, the less restrictive provision shall prevail.

5. Notwithstanding any other provision of this by-law, this by-law shall not apply to a person who emits or causes or permits the emission of sound or vibration in connection with any of the traditional, festive, religious activities or other activities listed in schedule 6.

6. (1) The council may, upon application by any person,
- (a) exempt the applicant; or
 - (b) exempt the applicant for any exemption of lesser effect; or
 - (c) exempt the applicant on such terms and conditions as it may determine; or
 - (d) refuse to grant any exemption,

from any provision of this by-law with respect to any source of sound or vibration.

(2) Any exemption shall specify the period of time during which the exemption is in effect and may be made upon such terms and conditions as council requires.

7. Every application for exemption shall be made to the council in writing and lodged with the Chief Noise Control Officer.

8. The application shall be made in Form 1 and shall provide all the information required by the form including:

- 1. Name and address of applicant;
- 2. The full and complete description of the work or source of the sound or vibration for which exemption is sought;
- 3. The period of time for which exemption is sought;
- 4. A full and complete statement of the reasons why the exemption is sought;
- 5. A statement of the actions,
 - (a) presently being taken or continued; or
 - (b) proposed and planned,to comply with the provisions of this by-law;
- 6. The provisions of this by-law from which exemption is sought and a description of the work or source.

9. (1) The council may require an applicant to provide such further and other information as may be necessary to consider an application made under section 5.

10/30/79

(2) No application shall be deemed to be complete until all information required in Form 1, and by subsection 1 has been provided by the applicant.

10. Notice of intention to apply for an exemption shall be,

- (a) served on the Chief Noise Control Officer; and
- (b) published once in a newspaper having general circulation in the municipality of the City of Hamilton within fourteen days but not later than seven days prior to the date application is intended to be made.

11. The notice of intention shall be in Form 2 and shall include the information required under paragraphs 1, 2, 3, 4, and 5 of section 8 and the date on which the application is intended to be made to council.

12. Any person who objects to a proposed application shall lodge a notice of objection to approval of the application with the applicant not later than six days prior to the date on which the application is intended to be made, setting out the reasons for the objection and all relevant facts.

13. The applicant shall lodge with the Chief Noise Control Officer an affidavit of publication to which is attached all objections and any submission the applicant may make in reply to such objections marked as exhibits.

14. An application shall be deemed to have been made to council by lodging the application and the affidavit referred to in section 13, with the Chief Noise Control Officer.

15. Upon receipt of a complete application by the Chief Noise Control Officer and the affidavit of publication, he shall prepare or cause to be prepared a report to the Pollution Control Committee of Council on the application for exemption under section 5.

16. Where an application is not approved or approved upon terms and conditions or approved to a lesser extent than the exemption applied for, the council shall in its decision set out reasons therefor and shall serve a copy of the decision upon the applicant and the decision of the council is final.

17. Upon report of the Chief Noise Control Officer that there is non-compliance with an exemption or the terms and conditions of an approval of an exemption, the council may withdraw its approval or fix new or revised terms and conditions.

18. Except where the applicant does not comply with section 20, no such withdrawal of approval or fixing of new or revised terms and conditions shall take place prior to considering a written submission from the applicant in reply to the alleged non-compliance.

19. (1) Where there is non-compliance with the exemption or the terms and conditions thereof, the Chief Noise Control Officer, or a noise control inspector or a constable may serve an order to comply in Form 3 on the person to whom an exemption was allowed.

(2) The person referred to in subsection 1 shall forthwith comply with the order.

-8-

20. No submission in reply shall be considered by council unless it is made in writing and received by the Chief Noise Control Officer within seven days of the service of the order to comply.

21. Where reference is made to a Publication in this by-law, the Publication is attached to this by-law and is hereby adopted as part of this by-law.

22. Notwithstanding any other provision of this by-law, this by-law does not apply to a person who emits or causes or permits the emission of sound or vibration in connection with any of the activities listed in schedule 4.

23. Notwithstanding any other provision of this by-law, it shall be lawful during an emergency to emit or cause or permit the emission of sound or vibration in connection with emergency measures undertaken,

(a) for the immediate health, safety or welfare of the inhabitants or any of them; or

(b) for the preservation or restoration of property,

unless such sound or vibration is clearly of a longer duration or of a nature more disturbing than is reasonably necessary for the accomplishment of such emergency purpose.

24. (1) Where a court of competent jurisdiction declares any provision of this by-law invalid, the provision shall be deemed conclusively to be severable from the by-law.

(2) No part of this by-law not declared by a court of competent jurisdiction to be invalid shall be affected by the provision severable from the by-law.

25. (1) The Chief Noise Control Officer shall administer and enforce this by-law.

(2) Such noise control inspectors may be appointed as are necessary for the purpose of enforcement of this by-law.

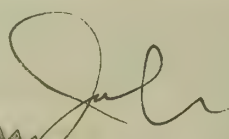
26. Any person who contravenes any provision of this by-law is guilty of an offence and is liable on summary conviction to a fine not exceeding \$1,000.00 exclusive of costs.

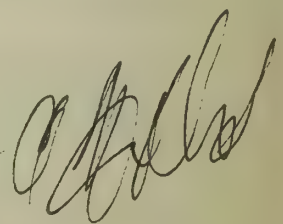
27. This by-law may be cited as "The Noise Control By-law".

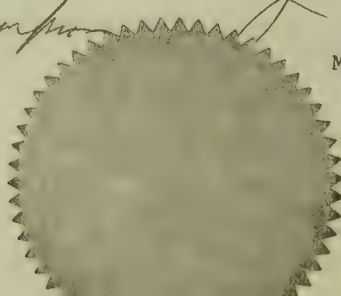
28. This by-law comes into force on January 1, 1980.

PASSED this 30th day of October, A.D., 1979.

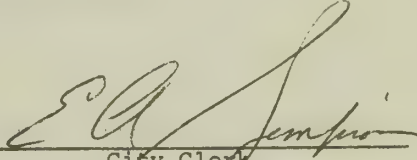

City Clerk


Mayor

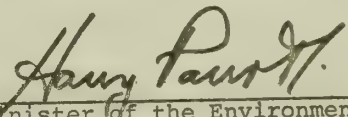




I hereby certify the foregoing to be a complete and true copy of Bill No. 297, being By-law No. 79-292


City Clerk

This By-law is approved pursuant to the provisions of The Environmental Protection Act, 1971, as amended, at Toronto, this 31st day of October 1979.


Minister of the Environment

FORM 1

(SECTION 8)

TO BY-LAW NO. 79-292

APPLICATION FOR EXEMPTION

1. Applicant: _____
(Name)

(Address) Tele. No. _____
2. Location of work or source: _____

3. Period of Exemption required: _____
4. Description of work or source: _____

5. Reasons for exemption: _____

6. Descriptions of actions presently being taken or continued to
comply with By-law: _____

7. Description of actions proposed to be taken to comply with

By-law: _____

8. Provisions of By-law from which exemption sought: _____

9. Agent or other representative of Applicant Yes _____ No _____

10. Name, address and telephone number of owner _____

(Date of Application)

(Applicant)

=====

Insufficient space - add.

Corporate applicant - use proper legal name.

Firm or Partnership - application in name of one or more members.

Individual - use full and proper name.

FORM 2

(SECTION 11)

TO BY-LAW NO. 79-292

NOTICE OF APPLICATION OF INTENTION TO APPLY FOR EXEMPTION

NOTICE OF APPLICATION BY _____
TO THE COUNCIL OF THE CITY OF HAMILTON.

TAKE NOTICE that (name in full) intends to apply (state whether as owner, agent, representative, etc. and if other than owner, state name and address of owner) to the Council of The Corporation of the City of Hamilton on the _____ day of _____, 19____ for approval of exemption from The Noise Control By-law for the period from _____ to _____, 19____, in respect of work or source located at _____ and more particularly described as follows (describe work or source), for the following reasons (enumerate reasons).

AND TAKE NOTICE that the above named applicant is presently taking or continuing to take the following actions to comply with The Noise Control By-law (describe actions) and proposes and is planning to take the following actions to comply with the by-law (describe actions).

AND TAKE NOTICE that any person may object to approval of the application by sending a notice of objection to the Applicant by prepaid post at the address in this notice set out below not later than six days prior to the date on which the application is intended to be made to the council and setting out the reasons for the objections and all relevant facts.

THIS NOTICE FIRST PUBLISHED on the _____ day of _____
19____

(Name of Applicant)_____
(Address of Applicant)

13

FORM 3

(SECTION 19)

TO BY-LAW NO. 79-292



THE CORPORATION OF THE CITY OF HAMILTON

FILE NO:

HAMILTON, ONTARIO

ORDER TO COMPLY

ISSUED TO	LOCATION

TAKE NOTICE THAT THE
AT THE ABOVE LOCATION IS IN CONTRAVENTION OF BY-LAW NO. 79-292
AS OUTLINED BELOW:

[illegible]

AND TAKE NOTICE FURTHER THAT YOU AS THE OWNER/CONSTRUCTOR/OR PERSON APPARENTLY IN POSSESSION ARE HEREBY ORDERED TO COMPLY FORTHWITH/WITHIN _____ IN RESULT OF COMPLIANCE WITH THE FOREGOING, YOU WILL BE LIABLE

AND TAKE NOTICE FURTHER THAT IN DEFAULT OF COMPLIANCE WITH THE FOREGOING, YOU WILL BE LIABLE
UPON CONVICTION, TO THE PENALTIES PROVIDED BY THE SAID BY-LAW.

UPON CONVICTION, TO THE PENALTIES PROVIDED BY THE LAW.	
ORDER RECEIVED BY:	ORDER ISSUED BY INSPECTOR:
NAME:	NAME:
DATE:	DATE:

SCHEDULE 1

STANDARDS, PROCEDURES,

LIMITS AND GUIDELINES

Index of Publications

Publication NPC-101	Technical Definitions
Publication NPC-102	Instrumentation
Publication NPC-103	Procedures
Publication NPC-104	Sound Level Adjustments
Publication NPC-105	Stationary Sources
Publication NPC-106	Sound Levels of Road Traffic
Publication NPC-115	Construction Equipment
Publication NPC-116	Residential Air Conditioners
Publication NPC-117	Domestic Outdoor Power Tools
Publication NPC-118	Motorized Conveyances
Publication NPC-119	Blasting

Publication NPC-101Technical Definitions1. Technical Terminology and Standards

The following terminology and standards shall be used for the purposes of any Noise Control By-Law enacted pursuant to The Environmental Protection Act and all Publications of the Noise Pollution Control Section of the Pollution Control Branch of the Ministry of the Environment. The definition of any technical word used in such By-Law or this or any such Publication and not herein defined shall be the definition appearing in the applicable Publication of the Canadian Standards Association (CSA), the American National Standards Institute (ANSI), the International Organization for Standardization (ISO), the International Electrotechnical Commission (IEC), the Society of Automotive Engineers (SAE), or the Machinery and Equipment Manufacturers Association of Canada (MEMAC):

(1) Acoustic Calibrator

An "Acoustic Calibrator" is an electro-mechanical or mechanical device intended for the calibration of sound level meters and meeting the specifications of Publication NPC-102
- Instrumentation, for Acoustic Calibrators.

(2) A-Weighting

"A-weighting" is the frequency weighting characteristic as specified in IEC 123 or IEC 179 and intended to approximate the relative sensitivity of the normal human ear to different frequencies (pitches) of sound.

(3) A-weighted Sound Pressure Level

The "A-weighted sound pressure level" is the sound pressure level modified by application of the A-weighting. It is measured in decibels, A-weighted, and denoted dBA.

(4) Beating

"Beating" is the characteristic of a sound which has an audible cyclically varying sound level, caused by the interaction of two sounds of almost the same frequency.

(5) Buzzing Sounds

A "buzzing sound" is a sound which is characterized by the presence of a large number of related discrete harmonics in its frequency spectrum. These harmonics together with the fundamental frequency produce a sound which subjectively is termed a "buzz". Examples are sounds from a buzzer or a chain saw.

(6) Decibel

The "decibel" is a dimensionless measure of sound level or sound pressure level; see sound pressure level.

(7) Effective Sound Pressure

The "effective sound pressure" at a point is the root-mean square value of the instantaneous sound pressure, over a time interval, at the point under consideration as detected with a sound level meter meeting the requirements of Publication NPC-102 - Instrumentation.

(8) Equivalent Sound Level

The "equivalent sound level" sometimes denoted L_{eq} , is the value of the constant sound level which would result in exposure to the same total A-weighted energy as would the specified time-varying sound, if the constant sound level persisted over an equal time interval. It is measured in dBA.

The mathematical definition of equivalent sound level (L_{eq}) for an interval defined as occupying the period between two points in time t_1 and t_2 is:

$$L_{eq} = 10 \log_{10} \frac{1}{t_2 - t_1} \int_{t_1}^{t_2} \frac{p^2(t)}{p_r^2} dt$$

where $p(t)$ is the time varying A-weighted sound pressure and p_r is the reference pressure of 20 μ Pa.

(9) Fast Response

"Fast response" is a dynamic characteristic setting of a sound level meter meeting the applicable specifications of Publication NPC-102 - Instrumentation.

(10) Frequency

The "frequency" of a periodic quantity is the number of times that the quantity repeats itself in a unit interval of time. The unit of measurement is hertz (Hz) which is the same as cycles per second.

(11) General Purpose Sound Level Meter

A "General Purpose Sound Level Meter" is a sound level meter which meets the specifications of Publication NPC-102 - Instrumentation, for General Purpose Sound Level Meters.

(12) Impulse Response

"Impulse response" is a dynamic characteristic setting of a sound level meter meeting the specifications of Publication NPC-102 - Instrumentation, for Impulse Sound Level Meters.

(13) Impulsive Sound

An "impulsive sound" is a single pressure pulse or a single burst of pressure pulses, as defined by IEC 179A, First supplement to IEC 179, Sections 3.1 and 3.2.

(14) Impulse Sound Level

The "impulse sound level" is the sound level of an impulsive sound as measured with an Impulse Sound Level Meter set to impulse response. It is measured in A-weighted decibels, denoted dBAI.

(15) Impulse Sound Level Meter

An "Impulse Sound Level Meter" is a sound level meter which meets the specifications of Publication NPC-102 - Instrumentation, for Impulse Sound Level Meters.

(16) Integrating Sound Level Meter

An "Integrating Sound Level Meter" is a sound level meter which is capable of being used to derive the equivalent sound level (L_{eq}) and which meets the specifications of Publication NPC-102 - Instrumentation, for Type B Integrating Sound Level Meters.

(17) Logarithmic Mean Impulse Sound Level

The "Logarithmic Mean Impulse Sound Level", sometimes denoted L_{LM} , of N impulsive sounds, is ten times the logarithm to the base 10 of the arithmetic mean of ten to the power of one tenth the impulse sound level of each impulsive sound.

Algebraically, it can be written as:

$$L_{LM} = 10 \log_{10} \left[\frac{1}{N} (10^{dBAI_1/10} + 10^{dBAI_2/10} + \dots + 10^{dBAI_N/10}) \right]$$

where, $dBAI_1, dBAI_2, \dots, dBAI_N$, are the N impulse sound levels.

(18) Overpressure

The "overpressure" at a point due to an acoustic disturbance is the instantaneous difference at that point between the peak pressure during the disturbance and the ambient atmospheric pressure. The unit of measurement is the pascal. One pascal, abbreviated Pa, is the same as one newton per square metre, abbreviated N/m^2 .

(19) Overpressure Level

The "overpressure level" is twenty times the logarithm to the base 10 of the ratio of the peak pressure to the reference pressure of 20 μPa .

(20) Peak Particle Velocity

The "peak particle velocity" is the maximum instantaneous velocity experienced by the particles of a medium when set into transient vibratory motion. This can be derived as the magnitude of the vector sum of three orthogonal components and is measured in cm/s.

(21) Peak Pressure Level Detector

A "Peak Pressure Level Detector" is a device capable of measuring peak pressure or pressure level perturbations in air and which meets the specifications of Publication NPC-102 - Instrumentation, for Peak Pressure Level Detectors.

(22) Percentile Sound Level

The "x percentile sound level", designated L_x , is the sound level exceeded x percent of a specified time period. It is measured in dBA.

(23) Quasi-Steady Impulsive Sound

"Quasi-Steady Impulsive Sound" is a sequence of impulsive sounds emitted from the same source, having a time interval of less than 0.5 s between successive impulsive sounds.

(24) Slow Response

"Slow response" is a dynamic characteristic setting of a sound level meter meeting the applicable specifications of Publication NPC-102 - Instrumentation.

(25) Sound

"Sound" is an oscillation in pressure, stress, particle displacement or particle velocity, in a medium with internal forces (e.g. elastic, viscous), or the superposition of such propagated oscillations, which may cause an auditory sensation.

(26) Sound Level

"Sound level" is the A-weighted sound pressure level.

(27) Sound Level Meter

A "sound level meter" is an instrument which is sensitive to and calibrated for the measurement of sound.

(28) Sound Pressure

The "sound pressure" is the instantaneous difference between the actual pressure and the average or barometric pressure at a given location. The unit of measurement is the micropascal (μPa) which is the same as a micronewton per square metre ($\mu\text{N}/\text{m}^2$).

(29) Sound Pressure Level

The "sound pressure level" is twenty times the logarithm to the base 10 of the ratio of the effective pressure (p) of a sound to the reference pressure (p_r) of $20 \mu\text{Pa}$. Thus the sound pressure level in dB = $20 \log_{10} \frac{p}{p_r}$.

(30) Tonality

A "tone" or a "tonal sound" is any sound which can be distinctly identified through the sensation of pitch.

(31) Vibration

"Vibration" is a temporal and spatial oscillation of displacement, velocity or acceleration in a solid medium.

(32) Vibration Velocity Detector

A "Vibration Velocity Detector" is a device which is capable of measuring vibration velocity and which meets the specifications of Publication NPC-102 - Instrumentation, for Vibration Velocity Detectors.

Publication NPC-102

Instrumentation

1. Scope

This Publication sets out minimum specifications for equipment used for the measurement of sound and vibration. For most of the specifications the International Electrotechnical Commission (IEC) recommended standards 123 (First edition 1961), 179 (Second edition 1973) and 179A (First supplement to IEC 179, published 1973) have been adopted. In some cases, these standards are amended or augmented for greater precision.

TABLE 102-1

NPC-102 Section	Type of Instrument	Application
3	General Purpose Sound Level Meter	Non-impulsive sounds
4	Impulse Sound Level Meter	Impulsive sounds
5	Peak Pressure Level Detector	Peak pressure perturbations
6	Type B Integrating Sound Level Meter	Varying sounds of low crest factor
7	Type A Integrating Sound Level Meter	Varying sounds of high crest factor
8	Vibration Velocity Detector	Peak vibration velocity in solids
9	Acoustic Calibrator	Calibration of sound level meters

2. Technical Definitions

The technical terms used in this Publication are defined in the specifications themselves or in Publication NPC-101 - Technical Definitions.

3. General Purpose Sound Level Meter

(1) Purpose

A General Purpose Sound Level Meter is a sound level meter which is intended to be used for the measurement of non-impulsive sounds, without significant A-weighted acoustic energy above 2000 Hz.

(2) Specifications

A sound level meter which meets the following specifications is a General Purpose Sound Level Meter:

- (a) the sound level meter, including a microphone equipped with a windscreen shall meet the specifications of IEC 123, except that, in addition to meeting the specifications of subclause 5.2 thereof, the microphone of the sound level meter shall also meet the specifications of subclause 5.2 amended by the substitution therein of an angle of incidence of $\pm 30^\circ$ instead of $\pm 90^\circ$, as it therein appears, and by the substitution of Table 102-2 hereof instead of Table 1, as it therein appears;
- (b) the sound level meter shall incorporate A-weighting, which is specified in IEC 123 as optional;
- (c) the sound level meter shall have a minimum usable range of sensitivity of from 40 dBA to 100 dBA and it shall read to an accuracy of ± 1.0 dB over that range;
- (d) a windscreen shall be installed on the microphone and shall not affect by more than 1 dB the tolerance prescribed in clauses (a) and (c);
- (e) the sound level meter, including a microphone equipped with a windscreen, shall, when operated in the presence of wind, indicate a wind-induced sound level not in excess of the relevant value listed in Table 102-3.

4. Impulse Sound Level Meter

(1) Purpose

An Impulse Sound Level Meter is a sound level meter which is intended to be used for the measurement of any sounds, including sounds for which a General Purpose Sound Level Meter may be used.

(2) Specifications

A sound level meter which meets the following specifications is an Impulse Sound Level Meter:

- (a) the sound level meter, including a microphone equipped with a windscreen, shall meet the specifications of a General Purpose Sound Level Meter;

- (b) the sound level meter, including a microphone equipped with a windscreen, shall meet the specifications of IEC 179 and IEC 179A, supplement to IEC 179, including the optional characteristics mentioned in subclause 4.5 of IEC 179A;
- (c) the sound level meter shall incorporate A-weighting as specified in IEC 179.

5. Peak Pressure Level Detector

(1) Purpose

A Peak Pressure Level Detector is a sound level meter which is intended to be used for the measurement of peak pressure perturbations in air. The value indicated by this device is not an average of the pressure level perturbations.

(2) Specifications

A sound level meter which meets the following specifications is a Peak Pressure Level Detector (the features of this device are incorporated in an Impulse Sound Level Meter as specified in section 4 above):

- (a) the microphone of the sound level meter, when equipped with a windscreen, shall perform within a tolerance of ± 1 dB throughout the frequency range of from 5 Hz to 31.5 Hz in the circumstances and conditions for use set out in Table 1 of IEC 179;
- (b) the sound level meter without the microphone shall be capable of providing linear response as specified in subclause 4.5 of IEC 179, within a tolerance of ± 1 dB throughout the frequency range of from 5 Hz to 15 kHz;
- (c) the sound level meter shall incorporate the optional characteristics specified in subclause 4.5 of IEC 179A;
- (d) the sound level meter shall meet the specifications set out in IEC 179 clause 3, subclauses 4.1, 4.2, 4.4, 4.5, 4.7, 4.8, clause 5, subclauses 6.2, 6.3, 6.4, 6.5, 6.8, 6.9, 7.1 through 7.9, 7.11, 8.1, 8.2, 8.3, 8.6 through 8.9, and the appropriate specifications of clause 10.

6. Type B Integrating Sound Level Meter

(1) Purpose

- (a) An Integrating Sound Level Meter is a sound level meter which is intended to be used for the measurement of sound over a period of time, such that the equivalent sound level (L_{eq}) of the sound may be obtained.
- (b) The Type B Integrating Sound Level Meter is specified with sufficient dynamic range and measurement precision to measure equivalent sound levels of general sounds that exceed limitations set out in this by-law.
- (c) Either a Type A or Type B Integrating Sound Level Meter may be used for most such applications, but a Type A Integrating Sound Level Meter must be used when the sound under study

is Quasi-Steady Impulsive Sound (see NPC-103 - Procedures, sections 3 and 4) or when the operational dynamic range greatly exceeds 40 dB.

(2) General Description

The tolerances specified for the microphone, weighting and amplifier of a Type B Integrating Sound Level Meter are the same as those specified for a General Purpose Sound Level Meter in section 3 of this Publication. The computational portions of the instrument must operate within a net accuracy of ± 1 dB for time periods of 20 minutes to one hour over a dynamic range of at least 40 dB with test signals having a crest factor (as defined in IEC 179A) up to 3. An operator-activated switch is included to inhibit the integration function alone and, if the system includes an elapsed-time clock, to inhibit both the integration and time summation functions.

(3) Specifications

A sound level meter which meets the following specifications is a Type B Integrating Sound Level Meter:

- (a) the instrument will generally be a combination of microphone, amplifier, A-weighting network, computation circuit to obtain the integral of the mean square A-weighted pressure, display and a means of inhibiting the integration, but may vary from the above provided that it performs the same functions within the tolerances set out below;
- (b) the instrument may include computational circuitry to calculate and display the equivalent sound level directly;
- (c) the microphone of the instrument shall meet the specifications of clause 5 of IEC 123, except that, in addition to meeting the specifications of subclause 5.2 thereof, the microphone shall also meet the specifications of subclause 5.2 amended by the substitution therein of an angle of incidence of $\pm 30^\circ$ instead of $\pm 90^\circ$, as it therein appears, and by the substitution of Table 102-2 hereof instead of Table 1, as it therein appears;
- (d) a windscreen shall be installed on the microphone during operation and shall not affect by more than 1 dB the tolerance prescribed in clause (c);
- (e) the sound level meter, including a microphone equipped with a windscreen, shall, when operated in the presence of wind, indicate a wind-induced sound level not in excess of the relevant value listed in Table 102-3.
- (f) the A-weighting network shall meet the specifications of Table II and Figure I of IEC 123;
- (g) the amplifier shall meet the specifications of subclauses 7.2, 7.3 and 7.11 of IEC 123;

- (h) for each sensitivity setting of the instrument the amplifier shall have a power handling capacity at least 10 dB greater than the maximum sound level specified for that sensitivity setting;
- (i) if the computation circuit is of the sampling (digital) type, when operating in conjunction with the microphone, windscreen, A-weighting network and amplifier, it shall generate a signal proportional to the mean square A-weighted pressure with a 1 ± 0.25 s exponential averaging time constant;
- (j) the computation circuit shall integrate the mean square A-weighted pressure and shall be capable of doing so on each sensitivity setting for a minimum of 6 minutes at the maximum sound level specified for that sensitivity setting;
- (k) if the computation circuit is not capable of meeting the specification of clause (j) with the reference therein to "6 minutes" changed to "60 minutes", then the device shall be provided with a means to indicate to the operator when the integration capability has been exceeded;
- (l) if the computational circuit is of the sampling (digital) type, sampling shall take place at least twice per second;
- (m) the computation circuit shall operate over the usable dynamic range of the instrument with a linearity of ± 1 dB for any sound with a ratio of peak pressure to root mean square pressure up to 3 (crest factor up to 3);
- (n) an operator-activated switch shall be provided to inhibit integration or, if the instrument has an internal elapsed time clock, to inhibit both integration and accumulation of time;
- (o) the combination of windscreen, microphone, A-weighting network, amplifier and computation circuit shall have a usable dynamic range extending at least from 50 dBA to 90 dBA and the manufacturer shall specify the usable dynamic range;
- (p) the instrument may be provided with more than one sensitivity setting and the manufacturer shall specify the minimum and maximum input sound level for each sensitivity setting;
- (q) if the maximum sound level specified for any sensitivity setting is less than 100 dBA, the system shall include a means of indicating to the operator that the maximum input sound level for that sensitivity setting has been exceeded and such indication shall be maintained until cancelled by the operator;
- (r) the display shall indicate either,
 - (i) an output proportional to the integrated mean square A-weighted pressure, or
 - (ii) the integrated mean square A-weighted pressure divided by the duration of the period of time for which the equivalent sound level is to be determined, or

- (iii) the equivalent sound level for the period of time for which the equivalent sound level is to be determined;
- (s) it shall be possible to read from the display or to calculate from the reading of the display, the equivalent sound level to a resolution of ± 1 dB over the usable dynamic range of the instrument for integration times from 20 minutes to 60 minutes;
- (t) if the indication of the display is as described in subclause (ii) or (iii) of clause (r), the instrument shall include an elapsed-time clock;
- (u) the complete instrument shall follow the recommendations and meet the specifications of subclauses 7.4, 7.5, 7.6, 7.7, 7.8 and 7.9 of IEC 123; and
- (v) the instrument shall include a means of determining whether the battery of the instrument if any, has sufficient life to permit proper operation for a period of at least one hour.

7. Type A Integrating Sound Level Meter

(1) Purpose

- (a) An Integrating Sound Level Meter is a sound level meter which is intended to be used for the measurement of sound over a period of time, such that the equivalent sound level (L_{eq}) of the sound may be obtained.
- (b) The Type B Integrating Sound Level Meter is specified with sufficient dynamic range and measurement precision to measure equivalent sound levels of general sounds that exceed limitations set out in this by-law.
- (c) Either a Type A or a Type B Integrating Sound Level Meter may be used for most such applications, but a Type A Integrating Sound Level Meter must be used when the sound under study is Quasi-Steady Impulsive Sound (see NPC-103 - Procedures, Sections 3 and 4) or when the operational dynamic range greatly exceeds 40 dB.

(2) General Description

The tolerances specified for the microphone, weighting and amplifier of a Type A Integrating Sound Level Meter are the same as those specified for a General Purpose Sound Level Meter in section 3 of this Publication. The computational portions of the instrument must operate within a net accuracy of ± 1 dB for time periods of 20 minutes to one hour over a dynamic range of at least 80 dB with test signals having a crest factor (as defined in IEC 179A) up to 5. An operator activated switch is included to inhibit both the integration and time summation functions.

(3) Specifications

A sound level meter which meets the following specifications is a Type A Integrating Sound Level Meter:

- (a) the sound level meter shall meet the specifications of a Type B Integrating Sound Level Meter;
- (b) the instrument shall be provided with an internal elapsed-time clock;
- (c) for each sensitivity setting of the instrument, the amplifier shall have a power handling capacity at least 14 dB greater than the maximum sound level specified for that sensitivity setting;
- (d) the computation circuit shall operate over the usable dynamic range of the instrument with a linearity of ± 1 dB for any sound with a ratio of peak pressure to root mean square pressure up to 5 (Crest Factor up to 5); and
- (e) the combination of windscreen, microphone, A-weighting network, amplifier and computation circuit shall have a usable dynamic range extending at least from 40 dBA to 120 dBA.

8. Vibration Velocity Detector

(1) Purpose

A Vibration Velocity Detector is a device intended to be used for the measurement of the peak particle velocity of a solid surface.

(2) Specifications

A device which meets the following specifications is a Vibration Velocity Detector:

- (a) the device shall include either a transducer which responds to the total vibration vector or three transducers which have their axes of maximum sensitivity mutually orthogonal $\pm 1^\circ$;
- (b) where three transducers are used to measure three mutually orthogonal components of vibration, the response of any one of the transducers to vibration in the plane normal to its axis of maximum sensitivity shall be less than 10% of its response to the same vibration along its axis of maximum sensitivity;
- (c) the output of the device shall be proportional to the velocity of the surface on which the transducer is, or the transducers are, mounted and the output of the device shall be in such form that the device indicates, or can be used to calculate, the peak particle velocity in the frequency range of from 5 Hz to 500 Hz over a range of peak particle velocity of from 0.25 cm/s to 10 cm/s with a tolerance of $\pm 10\%$; and

- (d) it shall be possible to field-calibrate the device with an accuracy of $\pm 5\%$ using either a reference electrical signal in series with the equivalent transducer impedance or a reference vibration source.

9. Acoustic Calibrator

(1) Purpose

An Acoustic Calibrator is an electro-mechanical or mechanical device which produces sound of a known frequency and which, when coupled to a sound level meter, produces a predictable response in the sound level meter if the sound level meter is operating properly at the calibration frequency.

(2) Specifications

A device, capable of producing sound, which meets the following specifications is an Acoustic Calibrator:

- (a) the device shall be capable of being physically attached to a sound level meter in such a way that the device and the sound level meter are "acoustically coupled", that is, sound from the device is transmitted through the air by way of a chamber formed by the attachment of the device to the microphone of the sound level meter;
- (b) the device shall produce sound of a stated frequency, within a frequency tolerance of $\pm 5\%$;
- (c) the manufacturer of the device shall provide with the device, any data required in order to determine the sound level reading which should be indicated on the sound level meter when calibrated for those microphone and sound level meter types with which the manufacturer recommends the device be used. Where additional accessories must be used to provide this sound level reading, the manufacturer shall state that they must be used;
- (d) the maximum tolerance in the sound pressure level generated by the device when coupled to the microphone shall apply over an atmospheric pressure range of 87 kPa to 107 kPa, and shall be ± 0.5 dB over the temperature range of from 0°C to 40°C and ± 1.0 dB over the temperature range of from -10°C to 50°C ;
- (e) if the device is battery powered, means for checking the battery condition shall be included with the device;
- (f) the following data shall be provided with the device by the manufacturer,
 - (i) the nominal sound pressure level produced,
 - (ii) the nominal frequency at which the device operates,
 - (iii) the ranges of temperature and atmospheric pressure over which the device is intended to operate, and the applicable overall sound pressure level tolerance for these ranges.

TABLE 102-2

Permissible Tolerances on Microphone Sensitivity
Over an Angle of $\pm 30^0$

Frequency Hz	Permissible Tolerances dB	
	A*	B**
31.5 - 500	± 1	± 1
1000	± 1	± 1
2000	± 2	+ 1 - 2
4000	± 4	+ 1 - 4
8000	± 10	+ 1 - 10

* COLUMN A: The microphone is mounted on the sound level meter.

** COLUMN B: The microphone is physically separated from the sound level meter but electrically connected thereto.

TABLE 102-3

Maximum Wind Induced Sound Level Indication Using A-weighting and
Slow Response (where available)

Wind Speed	dB(A)
15 km/h	41
20 km/h	48
25 km/h	53

Publication NPC-103Procedures1. Scope

This Publication comprises the various measurement procedures to be used in connection with other Publications which provide limits or standards for sound or vibration. Several of the procedures adopted are those of nationally or internationally recognized agencies. Table 103-1 lists the measurement procedures which are included in this Publication.

TABLE 103-1

NPC-103		
Section	Type of Measurement	Procedure
3	Steady or impulsive sound	Ministry
4	Varying sound	Ministry
5	Sound and vibration from blasting	Ministry
6	Powered mobile construction equipment	SAE J88a
7	Pneumatic equipment	MEMAC
8	Small engines	SAE J1046
9	Trucks with governed diesel engines	CSA Z107.22-M

2. Technical Definitions

The technical terms used in a procedure shall have the meaning given either in that procedure or in Publication NPC-101 - Technical Definitions.

3. Procedure for Measurement of Steady or Impulsive Sound

(1) (a) Classification

For the purposes of this procedure sounds can conveniently be placed in four mutually exclusive categories as follows:

- (i) impulsive sounds, other than Quasi-Steady Impulsive Sounds, such as, but not limited to, the sound from gunshots, certain explosive pest control devices and certain industrial metal working operations (e.g. forging, hammering, punching, stamping, cutting, forming and moulding);
- (ii) Quasi-Steady Impulsive Sounds, such as, but not limited to, the sound from pavement breakers, riveting guns, ineffectively muffled internal combustion engines or ineffectively muffled air compressors;
- (iii) buzzing sounds, such as, but not limited to, the sounds from positive displacement blowers, chain saws, small combustion engines and concrete finishers;
- (iv) all other sounds.

(b) Application

This procedure applies to measurements at a point of reception of:

- (i) sound of a type mentioned in category (i) or (ii) of clause (a); and
- (ii) sound of a type mentioned in categories (iii) or (iv) of clause (a), which is always higher than the permissible level or which, when the sound is present, does not vary in level over a range of more than 6 dB during the period of observation.

(2) Instrumentation

(a) Sound Level Meter

- (i) An Impulse Sound Level Meter shall be used for the measurement of sound in category (i), (ii) or (iii) of clause 3(1) (a).
- (ii) A General Purpose Sound Level Meter shall be used for the measurement of sound in category (iv) of clause 3(1) (a).
NOTE: An Integrating Sound Level Meter may be used for the measurement of sound in category (iv) of clause 3(1) (a), but the procedure set out in section 4 - Procedure for Measurement of Varying Sound must be used.

(b) Calibrator

An Acoustic Calibrator shall be used.

(c) Windscreen

A windscreen shall be used in all outdoor measurements.

(3) Measurement Location

For sound transmitted solely through air, the measurement location shall be one or more of the following points of reception:

- (a) a location out-of-doors where a person may be exposed to the sound; or
- (b) the plane of an exterior door or window of a room in which a person may be exposed to the sound, where the door or window is open.

(4) Use of Instrumentation(a) Battery Check

If the sound level meter is battery powered the condition of the battery shall be checked after the meter has been allowed to warm up and stabilize. The battery condition shall be rechecked at least once per hour during a series of measurements and at the conclusion of such measurements. The meter shall not be used unless the battery condition is confirmed to be within the range recommended by the manufacturer for proper operation.

(b) Calibration

The sound level meter shall be calibrated after the meter has been allowed to warm up and stabilize, at least once per hour during a series of measurements and at the conclusion of such measurements.

(c) Sound Level Meter Settings

Measurements shall be taken using the following response settings:

(i) Impulse Response (dBAI)

The impulse response and A-weighting shall be used for impulsive sound in category (i) of clause 3 (1)(a). An 'impulse hold' facility may be used if available on the meter.

(ii) Slow Response (dBA)

The slow response and A-weighting shall be used for sound in categories (ii), (iii) or (iv) of clause 3 (1)(a).

(d) Instrument Configuration(i) Reflective Surfaces

The microphone shall be located not less than 1 m above the ground, not less than 1 m from any sound reflective surface except for the purposes of clause 3(3)(b) and not less than arm's length from the body of the person operating the meter. Not more than one person, other than the operator of the meter, shall be within 7 m of the microphone and that person shall be behind the operator of the meter.

For the case of clause 3(3)(b) the microphone shall be in the middle of the aperture located not less than 15 cm from the window frame or door frame.

(ii) Microphone Orientation

The microphone shall be oriented such that the sound to be measured is incident at an angle recommended by the microphone manufacturer for flattest frequency response in a free field.

(e) Measurement - Slow Response

(i) Readings Taken

For sound in categories (ii), (iii) or (iv) of clause 3 (1)(a), a minimum of three observations with a minimum observation time of 15 s each shall be made. The observed average reading for each of the observations shall be noted as well as the minimum and the maximum of the range of sound levels during each observation period. If the difference between any two observed average readings is greater than 3 dB, a minimum of six observations shall be made. For the purpose of adjustments for intermittency the duration of the sound in any one hour shall be noted.

(ii) Readings Reported

The arithmetic mean of the observed average readings shall be reported, rounded to the nearest decibel. Adjustments for intermittence and quality of sound shall be made in accordance with Publication NPC-104 - Sound Level Adjustments, and the result shall be reported. The result is the one hour equivalent sound level (L_{eq}) of the sound under study for any one hour period during which the readings were taken pursuant to subclause (i).

(iii) Wide Variation of Sound Levels

If, in making observations pursuant to subclause (i), there is a difference of more than 6 dB between the lowest and highest values of the observed ranges of sound levels, this procedure shall not be used unless the lower limit of each such range is above the maximum permissible level. Instead, the procedure set out in Section 4 - Procedure for Measurement of Varying Sound at a point of reception, shall be used.

(f) Measurement - Impulse Response - Frequent Impulses

(i) Readings Taken

For sound in category (i) of clause 3 (1) (a) not less than 20 impulses shall be measured within a continuous period of 20 minutes and each measurement taken shall be reported.

(ii) Extension of Time

Where a minimum of 20 impulses cannot be measured within a continuous period of 20 minutes pursuant to subclause (i) the time period may be extended to 2 hours if an impulse occurred in each of the four consecutive periods of five minutes each during the initial 20 minute measurement period.

(iii) Level Reported

The Logarithmic Mean Impulse Sound Level (L_{LM}) of the 20 or more measurements shall be calculated and reported to the nearest decibel. This Logarithmic Mean Impulse Sound Level is a valid and effective sound level for any one hour period during which readings were taken pursuant to subclauses (i) and (ii).

(g) Measurement - Impulse Response - Single Event

Readings Taken and Reported

For impulsive sounds in category (i) of clause 3(1)(a), that occur as single, seemingly independent events not normally measurable using the procedure set out in clause (f) for frequent impulses, each impulse shall be independently measured and each impulse sound level reported to the nearest decibel.

(h) Variation in Calibration

Measurements shall not be reported if the sound level meter calibration has changed more than 0.5 dB from the previous calibration.

(i) Weather Conditions

(i) Wind

Measurements shall not be taken unless the wind-induced sound level is more than 10 dB below the measured levels. Reference should be made to Publication NPC-102 - Instrumentation, particularly Table 102-3.

(ii) Humidity

Measurements shall not be taken if the relative humidity is above the maximum for which the meter specification is guaranteed by the manufacturer (normally 90%).

(iii) Precipitation

Measurements shall not be taken during precipitation.

(iv) Temperature

Measurements shall not be taken when the air temperature is outside the range for which the specification of the instrument is guaranteed by the manufacturer. (Normally, only the lower temperature limit is significant.)

(5) Documentation

The following represents the minimum information which shall be contained in a report of an investigation where the above procedure was used. (Adapted from CSA Z107.2-1973 Methods for the Measurement of Sound Pressure Levels.)

(a) Acoustic Environment

- (i) Location and description of sound sources.
- (ii) Dimensioned sketch including photographs, if possible, of the location of the sound source and the point of reception, showing all buildings, trees, structures and any other sound reflective surfaces.
- (iii) Physical and topographical description of the ground surface.
- (iv) Meteorological conditions prevailing at the time of the investigation including approximate local wind speed in km/h, wind direction, air temperature in °C, approximate relative humidity and extent of cloud cover.

(b) Instrumentation

All the equipment used for making sound level measurements shall be listed, including:

- (i) type, model and serial number of sound level meter;
- (ii) type, model and serial number of microphone;
- (iii) type, model and serial number of Acoustic Calibrator;
- (iv) extension cables and additional amplifier, if used.

(c) Acoustical Data

The measurement details shall be described, including:

- (i) the location of the microphone, using a sketch if necessary;
- (ii) measurements or readings obtained, preferably listed in tabular form, referencing location on a sketch or map, time periods involved, and relevant data required for making calculations;
- (iii) adjustments made for quality of sound or intermittence;
- (iv) details of any calculations;
- (v) comparison with applicable sound level limits, standards or guidelines.

4. Procedure for Measurement of Varying Sound

(1) (a) Classification

For the purposes of this procedure sounds can conveniently be placed in four mutually exclusive categories as follows:

- (i) impulsive sounds, other than Quasi-Steady Impulsive Sounds, such as, but not limited to, the sound from gunshots, certain explosive pest control devices and certain industrial metal working operations (e.g. forging, hammering, punching, stamping, cutting, forming and moulding);
- (ii) Quasi-Steady Impulsive Sounds, such as, but not limited to, the sound from pavement breakers, riveting guns, ineffectively muffled internal combustion engines or ineffectively muffled air compressors;
- (iii) buzzing sounds, such as, but not limited to the sound from positive displacement blowers, chain saws, small combustion engines and concrete finishers;
- (iv) all other sounds.

(b) Application

This procedure applies to measurements at a point of reception of continuous or intermittent sound mentioned in category (ii), (iii) or (iv) of clause (a).

(2) Instrumentation

(a) Integrating Sound Level Meter

An Integrating Sound Level Meter shall be used which is appropriate for the sound to be measured:

- (i) Either a Type A or Type B Integrating Sound Level Meter may be used for the measurement of sound in category (iv) of clause 4(1)(a);
- (ii) A Type A Integrating Sound Level Meter shall be used for the measurement of sound in categories (ii) or (iii) of clause 4(1)(a).

(b) Calibrator

An Acoustic Calibrator shall be used.

(c) Windscreen

A windscreen shall be used in all outdoor measurements.

(3) Measurement Location

(a) Air-Borne Sound

For sound transmitted solely through air, the measurement location shall be one or more of the following points of reception:

- (i) a location out-of-doors where a person may be exposed to the sound; or
- (ii) the plane of an exterior door or window of a room in which a person may be exposed to the sound, where the door or window is open.

(4) Use of Instrumentation

(a) Battery Check

If the Integrating Sound Level Meter uses a battery, the condition of the battery shall be checked before each measurement, and measurement shall not commence unless the battery has sufficient life remaining to permit proper operation for a period of at least one hour.

(b) Calibration

The Integrating Sound Level Meter shall be calibrated before and after each measurement period.

(c) Instrument Configuration

(i) Reflective Surfaces

The microphone shall be located not less than 1 m above the ground, not less than 1 m from any sound reflective surface except for the purposes of subclause 4(3)(a)(ii) and not less than arm's length from the body of the person operating the meter. Not more than one person, other than the operator of the meter, shall be within 7 m of the microphone and that person shall be behind the operator of the meter. For the case of subclause 4(3)(a)(ii) the microphone shall be in the middle of the aperture located not less than 15 cm from the window frame or door frame.

(ii) Microphone Orientation

The microphone shall be oriented such that the sound to be measured is incident at an angle recommended by the microphone manufacturer for flattest frequency response in a free field.

(d) Extraneous Sources

When measuring the sound from a source, integration shall from time to time be inhibited by the operator immediately when the received sound is dominated by sound from a source other than the source under study and it shall remain inhibited while such a condition persists and for at least 10 seconds thereafter. While integration is inhibited the elapsed time used to calculate the equivalent sound level shall not be allowed to accumulate.

(e) Timing

If the Integrating Sound Level Meter is not provided with an internal elapsed-time clock, the operator shall accumulate the elapsed time during the measurement period by means of a stop-watch or other time measuring device.

(f) Readings

(i) Stationary Source

When measuring the sound from a stationary source, measurements to be used in calculating results shall be taken during a continuous period not in excess of one hour and, for purposes of calculation and reporting of

results, the accumulated elapsed time of measurement as obtained in accordance with clause (d) is deemed to be one hour if the accumulated time is 20 minutes or more. Measurements containing information from an accumulated time period of less than 20 minutes are insufficient for purposes of calculating the equivalent sound level (L_{eq}) of a stationary source.

(ii) Road Traffic Noise Sources

When measuring the sound from road traffic the accumulated elapsed time obtained in accordance with clause (d) shall not be less than twenty minutes and the actual accumulated elapsed time of measurement shall be used for purposes of calculation.

(g) Adjustments

Adjustments for quality of sound shall be made in accordance with Publication NPC-104 - Sound Level Adjustments and the result reported. No adjustment shall be made for intermittence.

(h) Variation in Calibration

A measurement shall not be reported if the Integrating Sound Level Meter calibration after the measurement period is more than 0.5 dB different from that before the measurement commenced.

(i) Weather Conditions

(i) Wind

Measurements shall not be made unless the wind-induced sound level is more than 10 dB below the measured levels. Reference should be made to Publication NPC-102-Instrumentation and particularly Table 102-3.

(ii) Humidity

Measurements shall not be taken if the relative humidity is above the maximum for which the meter specification is guaranteed by the manufacturer (normally 90%).

(iii) Precipitation

Measurements shall not be taken during precipitation.

(iv) Temperature

Measurements shall not be taken when the air temperature is outside the range for which the specification of the instrument is guaranteed by the manufacturer. (Normally, only the lower temperature limit is significant.)

(j) Readings Reported

- (i) For sound from a stationary source, the value to be reported based on measurements made during the accumulated elapsed time of 20 minutes or more and the time period for calculation which is one hour is, after adjustment in accordance with clause (g), the one hour equivalent sound level (L_{eq}) of the sound under study for any one hour period during which measurements were taken pursuant to subclause 4(4)(f)(i).

- (ii) For sound from road traffic, the value to be reported based on measurements made during the accumulated elapsed time of 20 minutes or more and the time period for calculation which is the actual accumulated elapsed time, is the one hour equivalent sound level (L_{eq}) of the sound under study for any one hour period during which measurements were taken pursuant to subclause 4(4)(f)(ii).
- (iii) The one hour equivalent sound level (L_{eq}) shall be reported to the nearest decibel.

(5) Documentation

The following represents the minimum information which shall be contained in a report of an investigation where the above procedure was used. (Adapted from CSA Z107.2-1973 Methods for the Measurement of Sound Pressure Levels.)

(a) Acoustic Environment

- (i) Location and description of sound sources.
- (ii) A list of the types of extraneous noise sources which caused integration to be inhibited during measurement.
- (iii) Dimensioned sketch including photographs, if possible, of the location of the sound source and the point of reception, showing all buildings, trees, structures and any other sound reflective surfaces.
- (iv) Physical and topographical description of the ground surface.
- (v) Meteorological conditions prevailing at the time of the investigation including approximate local wind speed in km/h, wind direction, air temperature in $^{\circ}\text{C}$, approximate relative humidity and extent of cloud cover.

(b) Instrumentation

All the equipment used for making sound level measurements shall be listed, including:

- (i) type, model and serial number of Integrating Sound Level Meter;
- (ii) type, model and serial number of microphone;
- (iii) type, model and serial number of Acoustic Calibrator;
- (iv) extension cables and additional amplifier, if used.

(c) Acoustical Data

The measurement details shall be described, including:

- (i) the location of the microphone, using a sketch if necessary;
- (ii) the continuous time period of observation;
- (iii) the accumulated elapsed time of measurement following the procedure of clauses 4(4)(d) and (e);

- (iv) the Integrating Sound Level Meter reading or output and any other relevant data required for calculations;
- (v) adjustments made for quality of sound;
- (vi) details of all calculations;
- (vii) the equivalent sound levels obtained, preferably listed in tabular form, referencing location on a sketch or map;
- (viii) comparison with applicable sound level limits, standards or guidelines.

5. Procedure for Measurement of Sound and Vibration
Due to Blasting Operations

(1) Application

This procedure applies to the measurement of sound (concussion) and vibration due to blasting operations.

(2) Sound

(a) Instrumentation

(i) Measuring Device

A Peak Pressure Level Detector shall be used.

(ii) Calibrator

An Acoustic Calibrator shall be used.

(iii) Windscreen

A windscreen shall be used in all outdoor measurements.

(b) Measurement Location

The measurement location shall be at a point of reception out-of-doors within 7 m of a building.

(c) Use of Instrumentation

(i) Battery Check

If the measuring device is battery powered, the condition of the battery shall be checked after the device has been allowed to warm up and stabilize and after each measurement has been made. The device shall not be used unless the battery condition is confirmed to be within the range recommended by the manufacturer for proper operation.

(ii) Calibration

The measuring device shall be calibrated after it has been allowed to warm up and stabilize and after each measurement has been made.

(iii) Meter Setting

The measuring device shall be set to read the peak pressure level using linear response and a 'hold' facility, if available.

(d) Instrument Configuration

(i) Reflective Surfaces

The microphone shall be located not less than 1 m above the ground, not less than 1 m from any sound reflective surface and not less than arm's length from the body of the person operating the device. Not more than one person, other than the operator of the meter, shall be within 7 m of the microphone and that person shall be behind the operator of the meter.

(ii) Microphone Orientation

The microphone shall be oriented such that the concussion wave to be measured is incident at an angle recommended by the microphone manufacturer for flattest frequency response in a free field.

(e) Readings(i) Peak Pressure Level

The value of peak pressure level reported shall be given to the nearest decibel.

(ii) Variation in Calibration

A measurement shall not be reported if the meter calibration after the measurement is more than 0.5 dB different from that before the measurement.

(iii) Battery Deterioration

A measurement shall not be reported if the battery condition after the measurement is not within the range recommended by the manufacturer for proper operation.

(f) Weather Conditions(i) Wind

Measurements shall not be reported unless the wind-induced sound pressure level is more than 10 dB below the measured peak pressure level. Reference should be made to Publication NPC-102 - Instrumentation.

(ii) Humidity

Measurements shall not be taken if the relative humidity is above the maximum for which the meter specification is guaranteed by the manufacturer (normally 90%).

(iii) Precipitation

Measurements shall not be taken during precipitation.

(iv) Temperature

Measurements shall not be taken when the air temperature is outside the range for which the meter specification is guaranteed by the manufacturer. (Normally only the lower temperature limit is significant.)

(3) Vibration(a) Instrumentation(i) Measuring Device

A Vibration Velocity Detector shall be used.

(ii) Calibrator

An electrical reference signal of known voltage and frequency shall be used in the field for calibration of the Vibration Velocity Detector excluding the transducer. A reference vibration source shall be used for laboratory calibration of the complete Vibration Velocity Detector.

(b) Measurement Location

Vibration measurements shall be made at a point of reception inside a building below grade or less than 1 m above grade, preferably on a basement floor close to an outside corner.

(c) Use of Instrumentation

(i) Battery Check

If the measuring device is battery powered, the condition of the battery shall be checked after the device has been allowed to warm up and stabilize and after each measurement has been made. The device shall not be used unless the battery condition is confirmed to be within the range recommended by the manufacturer for proper operation.

(ii) Calibration

Field calibration shall be carried out before and after each measurement. Laboratory calibration of the complete Vibration Velocity Detector as used in the field, including the transducer, shall be carried out not less than once per calendar year and the results certified.

(d) Instrument Configuration

(i) Mounting

The transducer shall be affixed to a part of the structure so as to prevent movement of the transducer relative to the structure. The preferred structural element is the basement floor as indicated in clause (b).

(ii) Transducer Orientation

If three vector components of vibration velocity are recorded individually, it is preferable to orient the transducers such that the three axes of measurement are (a) vertical, (b) radial (along a horizontal line joining the location of the blast to the location of measurement) and, (c) transverse (along a horizontal line at right angles to the line joining the location of the blast to the location of measurement).

(e) Readings

(i) Peak Particle Velocity

The peak particle velocity in cm/s shall be reported.

(ii) Variation in Calibration

A measurement shall not be reported if calibration after the measurement is more than 5% different from that before the measurement.

(iii) Battery Deterioration

A measurement shall not be reported if the battery condition after the measurement is not within the range recommended by the manufacturer for proper operation.

(4) Documentation

The following represents the minimum information which shall be contained in a report of an investigation where the above procedure was used.

(a) Description of Area

- (i) Location and description of the blasting operation.
- (ii) Dimensioned sketch including photographs, if possible, of the location of the blasting operation, the nearest premises and the measurement location.
- (iii) Description of the measurement location.
- (iv) Physical and topographical description of the ground surface.
- (v) Meteorological conditions at the time of the investigation, including approximate wind speed in km/h, wind direction, air temperature in degrees Celsius, approximate relative humidity, degree of cloud cover and whether or not a condition of thermal inversion prevailed.

(b) Instrumentation

All the equipment used for making sound and vibration measurements shall be listed, including:

- (i) type, model and serial number of Peak Pressure Level Detector;
- (ii) type, model and serial number of microphone;
- (iii) type, model and serial number of Acoustic Calibrator;
- (iv) windscreen;
- (v) extension cables and additional amplifiers, if used;
- (vi) type, model and serial number of Vibration Velocity Detector;
- (vii) type, model and serial number of transducers.
- (viii) type, model and serial number of vibration calibrator.

(c) Sound and Vibration Data

The measurement details shall be described, including:

- (i) the location where measurements were taken, the time period involved and the orientation of instrumentation using a sketch, if necessary;
- (ii) details of all calculations;
- (iii) the peak pressure level in dB and/or peak particle velocity in cm/s;
- (iv) comparison with applicable peak pressure limits and/or peak particle velocity limits.

6. Exterior Sound Level Measurement Procedure For
Powered Mobile Construction Equipment - SAE J88a

SAE J88a Recommended Practice is adopted by the Ministry with the following change:

Where ANSI Type 1 sound level meter specification is referred to, reference shall be made instead to Publication IEC-179 (1973) for Precision sound level meters. (General Purpose Sound Level Meter)

7. MEMAC Test Code For the Measurement of Sound
From Pneumatic Equipment

The MEMAC Test Code For The Measurement Of Sound From Pneumatic Equipment is adopted by the Ministry with the following additional requirement:

For measurement of percussive machines the sound level meter used shall meet the specifications of IEC Publications 179 and 179A (1973). (Impulse Sound Level Meter)

8. Exterior Sound Level Measurement Procedure For
Small Engine Powered Equipment - SAE J 1046

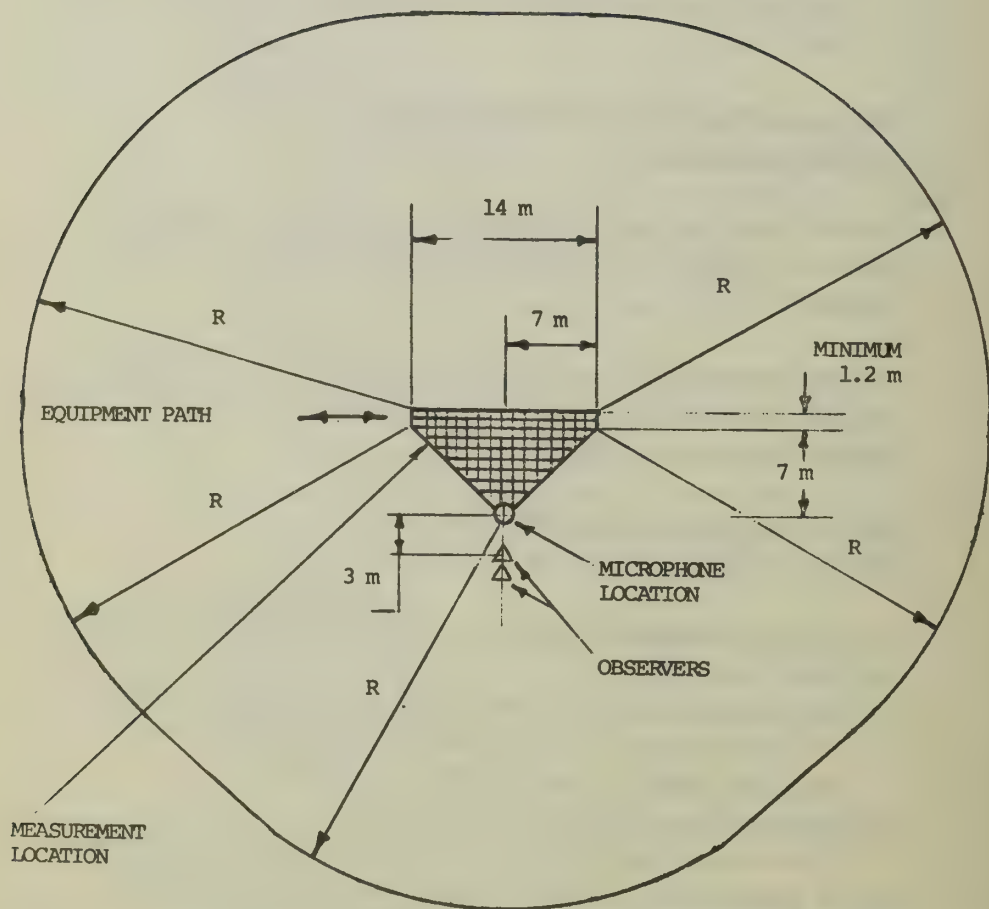
SAE J 1046 - Recommended Practice, is adopted by the Ministry with the following changes:

- (1) Where ANSI Type 1 sound level meter specification is referred to, reference shall be made instead to IEC Publications 179, and 179A (1973). (Impulse Sound Level Meter)
- (2) Replace clause 3.1.1 with the following:
The minimum dimensions of the measurement zone are defined as a path of travel 1.2 m wide by 14 m long plus an adjacent area having the base along the edge of the path of travel and the apex 7 m from the midpoint of the base.
- (3) Replace Fig. 1 with Fig. 103-1, hereof.
- (4) In section 3.3 Measurements, all references to 25 ft. shall be changed to 7 m.

9. Procedure for Measurement of the Maximum Exterior Sound Level
of Stationary Trucks with Governed Diesel Engines-CSA Z107.22-M1977

- (1) CSA Z107.22-M1977 standard is adopted by the Ministry with the following change:

A General Purpose Sound Level Meter shall be used.



REF. US EPA 550/9-74-011

R = 30 m MINIMUM RADIUS

TEST SITE CONFIGURATION FOR EXTERIOR SOUND LEVEL MEASUREMENTPROCEDURE FOR SMALL ENGINE POWERED EQUIPMENT - SAE J 1046

FIG. 103-1

Publication NPC-104Sound Level Adjustments1. Scope

This Publication refers to the adjustment of a sound level obtained following the procedures set out in either section 3 or 4 of NPC-103 - Procedures.

2. Technical Definitions

The technical terms used in this Publication are defined in Publication NPC-101 - Technical Definitions.

3. Intermittence

If a sound is intermittent, the following adjustment shall be subtracted from the observed value:

$$\text{Adjustment} = 10 \log_{10} \frac{1}{x}$$

where x is the fraction of an hour
for which the sound persists.

Such sound level adjustments are approximated in Table 104-1.

4. Adjustment for Special Quality of Sound(1) Tonality

If a sound has a pronounced audible tonal quality such as a whine, screech, buzz, or hum then the observed value shall be increased by 5.

(2) Cyclic Variations

If a sound has an audible cyclic variation in sound level such as beating or other amplitude modulation then the observed value shall be increased by 5.

(3) Quasi-Steady Impulsive Sound

If a sound is Quasi-Steady Impulsive Sound then the observed value shall be increased by 10.

(4) One Adjustment Only

An adjustment may be made under one only of subsections (1), (2) and (3), providing that, if subsection (3) applies, it shall be used in preference to subsection (1) or subsection (2).

TABLE 104-1
Adjustment for Intermittence

Duration of Sound In One Hour (Minutes)	Adjustment
40 - 60	0
20 - 39	3
10 - 19	6
5 - 9	9
3 - 4	12
1 - 2	15
less than 1	20

Publication NPC-105Stationary Sources1. Scope

This Publication refers to sound level limits for sound from stationary sources.

2. Technical Definitions

The technical terms used in this Publication are defined in Publication NPC-101 - Technical Definitions.

3. Measurement Standards and Procedures

For the purposes of this Publication all measurements shall be made in accordance with Publication NPC-103 - Procedures.

4. Sound Level Limits - General

- (1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source, if the sound level is expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}), the applicable sound level limit is the one hour equivalent sound level (L_{eq}) caused by road traffic as obtained pursuant to Publication NPC-106 - Sound Levels of Road Traffic, for that point of reception and the same time.
- (2) For sound from a stationary source, including Quasi-Steady Impulsive Sound but not including other impulsive sound, if the sound level is expressed in terms of the one hour equivalent sound level (L_{eq}), the applicable sound level limit is the one hour equivalent sound level (L_{eq}) caused by road traffic as obtained pursuant to Publication NPC-106 - Sound Levels of Road Traffic, for that point of reception and the same time.

5. Sound Level Limits - Specific Impulsive Sounds

- (1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is an industrial metal working operation (including but not limited to forging, hammering, punching, stamping, cutting, forming and moulding), if the sound level at a point of reception is expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}), the applicable sound level limit for that stationary source if it was in operation before January 1, 1980, is 60 dBAI, and otherwise is 50 dBAI.

- (2) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source which is the discharge of firearms on the premises of a licensed gun club, if the sound level at a point of reception is expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}), the applicable sound level limit for that stationary source if it was in operation before January 1, 1980, is 70 dBAI, and otherwise is 50 dBAI.
- (3) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a stationary source, characterized by impulses which are so infrequent that they cannot normally be measured using the procedure mentioned in NPC-103 - Procedures, clause 3 (4)(f), if the sound level is expressed in terms of the impulse sound level, the applicable sound level limit is 100 dBAI.

6. Sound Level Limits - Pest Control Devices

- (1) For impulsive sound, other than Quasi-Steady Impulsive Sound, from a pest control device employed solely to protect growing crops, if the sound level at a point of reception is expressed in terms of the Logarithmic Mean Impulse Sound Level (L_{LM}), the applicable sound level limit is 70 dBAI.
- (2) For sound, including Quasi-Steady Impulsive Sound but not including other impulsive sound, from a pest control device employed solely to protect growing crops, if the sound level at a point of reception is expressed in terms of the one hour equivalent sound level (L_{eq}), the applicable sound level limit is 60 dBA.
- (3) The operation of a pest control device outdoors is prohibited during the hours of darkness.

7. Preemption

- (1) For impulsive sound, other than Quasi-Steady Impulsive Sound, if more than one sound level limit in sections 4, 5 and 6 is applicable, the least restrictive applicable sound level limit shall prevail.
- (2) For sound, including Quasi-Steady Impulsive Sound but not including other impulsive sound, if more than one sound level limit in sections 4 and 6 is applicable, the less restrictive applicable sound level limit shall prevail.

8. Exclusion

No restrictions apply to a stationary source resulting in an equivalent sound level (L_{eq}) of 40 dBA or less at a point of reception.

Publication NPC-106Sound Levels of Road Traffic1. Scope

This Publication describes methods to estimate the one hour equivalent sound level (L_{eq}) caused by sound from road traffic. It can be applied in any community where the acoustical environment is dominated by the sound, sometimes called "urban hum", of road traffic. Highly intrusive transportation noise such as aircraft and railway noise is excluded from the determination of this background noise.

2. Technical Definitions

The technical terms in this Publication are defined in Publication NPC-101 - Technical Definitions.

3. Road Traffic Noise Derivation

When measurement of the sound level of a stationary source is made, the equivalent sound level at the same point and the same time from road traffic shall be obtained using one of three methods, which are listed in order of preference, as follows:

(1) Measurement

The equivalent sound level of road traffic may be measured at the point of reception when the stationary source under investigation is not audible, within one hour of the period when sound from the stationary source was measured. The equivalent sound level (L_{eq}) of road traffic is obtained in accordance with Publication NPC-103 - Procedures, section 4.

(2) Measurement and Calculation

The equivalent sound level (L_{eq}) may be determined at the point of reception for any hour when the stationary source under investigation is operating and generating sound which, when it is present, does not vary in level over a range of more than 6 dB during the period of observation. The equivalent sound level (L_{eq}) of road traffic and the equivalent sound level (L_{eq}) of the source are obtained simultaneously using two sound level meters. One meter is used to measure the combined sound level of source and road traffic, as if it constituted a stationary source, in accordance with Publication NPC-103 - Procedures, section 4. The second meter is used to measure the sound level from the source only, in accordance with Publication NPC-103 - Procedures, section 4. Use of these procedures requires that operation of the second meter is inhibited at any time when the sound from the stationary source is dominated by any other sound, including the sound from road traffic. The equivalent sound level (L_{eq}) of road traffic is the unknown component of the combined sound level. This unknown component is the logarithmic difference between the combined sound level of source and road traffic and the sound level of the source alone. It may be obtained with the assistance of Table 106-1.

(3) Estimation

In any other case, the equivalent sound level (L_{eq}) of the road traffic is estimated on the basis of traffic flows observed on the contributing roads during the period when the equivalent sound level (L_{eq}) of the source is measured. This estimation is made in accordance with sections 4 and 5. Where the surface of a contributing road is transversely grooved, this method of estimation should not be used.

4. Estimation of Sound Level Based on Traffic

The following procedure describes the manner in which the equivalent sound level of road traffic may be estimated on the basis of traffic flows observed during a period of time for which the equivalent sound level (L_{eq}) of the stationary source under investigation is measured. This method shall not be used when sound from road traffic reflected from a building of more than three stories in height, is clearly audible at the point of reception.

- (1) For each road from which traffic is audible at the point of reception estimate the equivalent sound level (L_{eq}) at the point of reception using the method specified in section 5.
- (2) Add the equivalent sound levels from each road using the decibel addition method in Table 106-1.
- (3) Compare the resultant equivalent sound level (L_{eq}) with the Minimum Value for Hourly L_{eq} for the relevant hour listed in Table 106-2. The higher of the two values is the equivalent sound level (L_{eq}) of road traffic at the point of reception.

5. Road Noise Calculation

The following calculations shall be used to estimate the equivalent sound level (L_{eq}) produced at a point of reception by traffic on a road:

(1) Traffic Volume

Vehicles passing by on the road shall be counted for at least 20 minutes and the time interval of observation shall be noted. The traffic volume reported in vehicles per hour is the number of vehicles counted divided by the time interval as a fraction of an hour.

(2) Percentage Trucks

The percentage of vehicles larger than vans or pickups shall be calculated.

(3) Equivalent Sound Level at 30 m from Road Centre

Determination of the equivalent sound level at a point 30 m from the centre line of the road shall be made using Tables 106-3, -4, -5, -6 and -7. If the total width of a multi-lane road is less than 30 m then it shall be treated as one road. Wider roads shall be treated as two or more roads.

(4) Correction for Road Gradient

For road gradients of 1% or more, add the correction indicated in Table 106-8 to the equivalent sound level (L_{eq}).

(5) Correction for Interrupted Traffic Flow

For a point of reception within 150 m of a traffic light, stop sign, or other interruption in traffic flow, add a correction as indicated in Table 106-9 to the equivalent sound level (L_{eq}).

(6) Measurement of Distance

The distance of the point of reception from the centre of the road shall be measured along the shortest line joining the point of reception to the centre of the road.

(7) Correction for Distance

Table 106-10 shall be used to correct for distance and for the type of ground surface.

(i) Water, all pavements, ice, hard packed gravel, earth and snow are sound reflective surfaces. If more than half of the ground surface between the centre line of the road and the point of reception is sound reflective, the distance correction shall be made using the section of the Table for reflective surfaces.

(ii) If less than half of the surface between the centre line of the road and the point of reception is sound reflective, the total effective height above the ground must be calculated by adding together the height of the point of reception above the ground and the effective source height for the road traffic obtained from Table 106-11. The correction for distance shall be made using the section of Table 106-9 for "other surfaces".

(8) Correction for Sheltering

If the point of reception is shielded from the road by solid barriers, buildings or a row of houses in such a manner that the total unobstructed angle of view of the road from the point of reception is less than 90^0 , subtract 5 from the value obtained above.

(9) Correction for Grooving

Where the surface of the roadway is transversely grooved, this method of estimating the sound level due to road traffic should not be used.

Adding and Subtracting Sound Levels

Difference between higher and lower measured sound levels	To obtain sum of two sound levels add this correction to measured higher value	Subtract this difference from combined sound level to obtain unknown component.
0	3.0	14.0
0.5	3.0	9.0
1.0	2.5	6.0
1.5	2.5	5.0
2.0	2.0	4.0
2.5	2.0	3.5
3.0	2.0	3.0
4.0	1.5	2.0
5.0	1.0	1.5
6.0	1.0	1.0
7.0	1.0	1.0
8.0	1.0	1.0
9.0	0.5	0.5
10.0	0	0.5
11.0	0	0.5
12.0	0	0.5
13.0 and up	0	0

TABLE 106-2
Minimum Value for Hourly L_{eq}
by Time of Day

<u>Time of Day</u>	<u>L_{eq} (dBA)</u>
07 00 - 19 00	50
19 00 - 20 00	49
20 00 - 21 00	48
21 00 - 22 00	47
22 00 - 23 00	46
23 00 - 24 00	45
24 00 - 01 00	44
01 00 - 02 00	43
02 00 - 03 00	41
03 00 - 04 00	40
04 00 - 05 00	42
05 00 - 06 00	45
06 00 - 07 00	48

TABLE 106-3

Given the traffic volume in vehicles per hour and the percentage of vehicles larger than vans or pickups, this Table provides the predicted one hour equivalent sound level at 30 m from the centre line of a road with a speed limit greater than 35 km/h and equal to or less than 50 km/h. For values of traffic volume not shown in the Table, the nearest value in the Table shall be used.

L_{eq} at 30 m; Speed Limit 35 - 50 km/h

		Percentage of Vehicles Larger than Vans or Pickups																	
Hourly Traffic Volume	up to	1.1 to 1.0	3.1 to 3.0	5.1 to 5.0	7.6 to 7.5	11 to 10	14 to 13	19 to 18	24 to 23	30 to 29	40 to 39	53 to 52	70 to 69	90 to 80	or over				
		49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66
40		49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66
50		50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67
63		51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68
80		52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69
100		53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70
125		54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71
160		55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72
200		56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73
250		57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74
315		58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75
400		59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76
500		60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77
630		61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78
800		62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79
1000		63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80
1250		64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81
1600		65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82
2000		66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83
2500		67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84
3150		68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85
4000		69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86
5000		70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	
6300		71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86		
8000		72	73	74	75	76	77	78	79	80	81	82	83	84	85	86			
10000		73	74	75	76	77	78	79	80	81	82	83	84	85	86				

TABLE 106-4

Given the traffic volume in vehicles per hour and the percentage of vehicles larger than vans or pickups, this Table provides the predicted one hour equivalent sound level at 30 m from the centre line of a road with a speed limit greater than 50 km/h and equal to or less than 65 km/h. For values of traffic volume not shown in the Table, the nearest value in the Table shall be used.

L_{eq} at 30 m; Speed Limit 50 - 65 km/h

Percentage of Vehicles Larger than Vans or Pickups																
Hourly Traffic Volume	up to 1.0	1.1 to 3.0	3.1 to 5.0	5.1 to 7.5	7.6 to 10	11 to 13	14 to 18	19 to 23	24 to 29	30 to 39	40 to 52	53 to 69	70 to 80	90 or over		
40	51	52	53	54	55	55	56	57	58	59	60	61	62	63		
50	52	53	54	55	56	56	57	58	59	60	61	62	63	64		
63	53	54	55	56	57	58	59	60	61	62	63	64	65	66		
80	54	55	56	57	58	59	60	61	62	63	64	65	66	67		
100	55	56	57	58	59	60	61	62	63	64	65	66	67	68		
125	56	57	58	59	60	61	62	63	64	65	66	67	68	69		
160	57	58	59	60	61	62	63	64	65	66	67	68	69	70		
200	58	59	60	61	62	63	64	65	66	67	68	69	70	71		
250	59	60	61	62	63	64	65	66	67	68	69	70	71	72		
315	60	61	62	63	64	65	66	67	68	69	70	71	72	73		
400	61	62	63	64	65	66	67	68	69	70	71	72	73	74		
500	62	63	64	65	66	67	68	69	70	71	72	73	74	75		
630	63	64	65	66	67	68	69	70	71	72	73	74	75	76		
800	64	65	66	67	68	69	70	71	72	73	74	75	76	77		
1000	65	66	67	68	69	70	71	72	73	74	75	76	77	78		
1250	66	67	68	69	70	71	72	73	74	75	76	77	78	79		
1600	67	68	69	70	71	72	73	74	75	76	77	78	79	80		
2000	68	69	70	71	72	73	74	75	76	77	78	79	80	81		
2500	69	70	71	72	73	74	75	76	77	78	79	80	81	82		
3150	70	71	72	73	74	75	76	77	78	79	80	81	82	83		
4000	71	72	73	74	75	76	77	78	79	80	81	82	83	84		
5000	72	73	74	75	76	77	78	79	80	81	82	83	84	85		
6300	73	74	75	76	77	78	79	80	81	82	83	84	85	86		
8000	74	75	76	77	78	79	80	81	82	83	84	85	86	87		
10000	75	76	77	78	79	79	80	81	82	83	84	85	86	87		

TABLE 106-5

Given the traffic volume in vehicles per hour and the percentage of vehicles larger than vans or pickups, this Table provides the predicted one hour equivalent sound level at 30 m from the centre line of a road with a speed limit greater than 65 km/h and equal to or less than 75 km/h. For values of traffic volume not shown in the Table, the nearest value in the Table shall be used.

L_{eq} at 30 m; Speed Limit 65 - 75 km/h

Percentage of Vehicles Larger than Vans or Pickups															
Hourly Traffic Volume	up to 1.0	1.1 to 3.0	3.1 to 5.0	5.1 to 7.5	7.6 to 10	11 to 13	14 to 18	19 to 23	24 to 29	30 to 39	40 to 52	53 to 69	70 to 80	90 or over	
40	53	54	54	55	56	56	57	58	58	59	60	61	62	63	
50	54	55	55	56	57	57	58	59	59	60	61	62	63	64	
63	55	56	56	57	58	58	59	60	60	61	62	63	64	65	
80	56	57	57	58	59	59	60	61	61	62	63	64	65	66	
100	57	58	58	59	60	60	61	62	62	63	64	65	66	67	
125	58	59	59	60	61	61	62	63	63	64	65	66	67	68	
160	59	60	60	61	62	62	63	64	64	65	66	67	68	69	
200	60	61	61	62	63	63	64	65	65	66	67	68	69	70	
250	61	62	62	63	64	64	65	66	66	67	68	69	70	71	
315	62	63	63	64	65	65	66	67	67	68	69	70	71	72	
400	63	64	64	65	66	66	67	68	68	69	70	71	72	73	
500	64	65	65	66	67	67	68	69	69	70	71	72	73	74	
630	65	66	66	67	68	68	69	70	70	71	72	73	74	75	
800	66	67	67	68	69	69	70	71	71	72	73	74	75	76	
1000	67	68	68	69	70	70	71	72	72	73	74	75	76	77	
1250	68	69	69	70	71	71	72	73	73	74	75	76	77	78	
1600	69	70	70	71	72	72	73	74	74	75	76	77	78	79	
2000	70	71	71	72	73	73	74	75	75	76	77	78	79	80	
2500	71	72	72	73	74	74	75	76	76	77	78	79	80	81	
3150	72	73	73	74	75	75	76	77	77	78	79	80	81	82	
4000	73	74	74	75	76	76	77	78	78	79	80	81	82	83	
5000	74	75	75	76	77	77	78	79	79	80	81	82	83	84	
6300	75	76	76	77	78	78	79	80	80	81	82	83	84	85	
8000	76	77	77	78	79	79	80	81	81	82	83	84	85	86	
10000	77	78	78	79	80	80	81	82	82	83	84	85	86	87	

TABLE 106-6

Given the traffic volume in vehicles per hour and the percentage of vehicles larger than vans or pickups, this Table provides the predicted one hour equivalent sound level at 30 m from the centre line of a road with a speed limit greater than 75 km/h and equal to or less than 90 km/h. For values of traffic volume not shown in the Table, the nearest value in the Table shall be used.

L_{eq} at 30 m; Speed Limit 75 - 90 km/h

Percentage of Vehicles Larger than Vans or Pickups																
Hourly Traffic Volume	up to 1.0	1.1 to 3.0	3.1 to 5.0	5.1 to 7.5	7.6 to 10	11 to 13	14 to 18	19 to 23	24 to 29	30 to 39	40 to 52	53 to 69	70 to 80	90 or over		
40	55	55	56	56	57	57	58	59	59	60	61	62	63	64		
50	56	56	57	57	58	58	59	60	60	61	62	63	64	65		
63	57	57	58	58	59	59	60	61	61	62	63	64	65	66		
80	58	58	59	59	60	60	61	62	62	63	64	65	66	67		
100	59	59	60	60	61	61	62	63	63	64	65	66	67	68		
125	60	60	61	61	62	62	63	64	64	65	66	67	68	69		
160	61	61	62	62	63	63	64	65	65	66	67	68	69	70		
200	62	62	63	63	64	64	65	66	66	67	68	69	70	71		
250	63	63	64	64	65	65	66	67	67	68	69	70	71	72		
315	64	64	65	65	66	66	67	68	68	69	70	71	72	73		
400	65	65	66	66	67	67	68	69	69	70	71	72	73	74		
500	66	66	67	67	68	68	69	70	70	71	72	73	74	75		
630	67	67	68	68	69	69	70	71	71	72	73	74	75	76		
800	68	68	69	69	70	70	71	72	72	73	74	75	76	77		
1000	69	69	70	70	71	71	72	73	73	74	75	76	77	78		
1250	70	70	71	71	72	72	73	74	74	75	76	77	78	79		
1600	71	71	72	72	73	73	74	75	75	76	77	78	79	80		
2000	72	72	73	73	74	74	75	76	76	77	78	79	80	81		
2500	73	73	74	74	75	75	76	77	77	78	79	80	81	82		
3150	74	74	75	75	76	76	77	78	78	79	80	81	82	83		
4000	75	75	76	76	77	77	78	79	79	80	81	82	83	84		
5000	76	76	77	77	78	78	79	80	80	81	82	83	84	85		
6300	77	77	78	78	79	79	80	81	81	82	83	84	85	86		
8000	78	78	79	79	80	80	81	82	82	83	84	85	86	87		
10000	79	79	80	80	81	81	82	83	83	84	85	86	87	88		

TABLE 106-7

Given the traffic volume in vehicles per hour and the percentage of vehicles larger than vans or pickups, this Table provides the predicted one hour equivalent sound level at 30 m from the centre line of a road with a speed limit greater than 90 km/h. For values of traffic volume not shown in the Table, the nearest values in the Table shall be used.

Hourly Traffic Volume		Percentage of Vehicles Larger than Vans or Pickups																90 or over	
		up to 1.0	1.1 to 3.0	3.1 to 5.0	5.1 to 7.5	7.6 to 10	11 to 13	14 to 18	19 to 23	24 to 29	30 to 39	40 to 52	53 to 69	70 to 80	81 to 88	89 to 96	97 to 100		
40	56	56	57	57	58	58	58	59	59	60	61	62	63	64	65	66	67	68	69
50	57	57	58	58	59	59	60	60	61	61	62	63	64	65	66	67	68	69	70
60	58	58	59	59	60	61	61	62	62	63	64	65	66	67	68	69	70	71	72
70	59	59	60	60	61	62	62	63	63	64	65	66	67	68	69	70	71	72	73
80	60	60	61	61	62	63	63	64	64	65	66	67	68	69	70	71	72	73	74
90	61	61	62	62	63	64	64	65	65	66	67	68	69	70	71	72	73	74	75
100	62	62	63	63	64	65	65	66	66	67	68	69	70	71	72	73	74	75	76
125	63	63	64	64	65	66	66	67	67	68	69	70	71	72	73	74	75	76	77
150	64	64	65	65	66	67	67	68	68	69	70	71	72	73	74	75	76	77	78
175	65	65	66	66	67	68	68	69	69	70	71	72	73	74	75	76	77	78	79
200	66	66	67	67	68	69	69	70	70	71	72	73	74	75	76	77	78	79	80
225	67	67	68	68	69	70	70	71	71	72	73	74	75	76	77	78	79	80	81
250	68	68	69	69	70	71	71	72	72	73	74	75	76	77	78	79	80	81	82
275	69	69	70	70	71	72	72	73	73	74	75	76	77	78	79	80	81	82	83
300	70	70	71	71	72	73	73	74	74	75	76	77	78	79	80	81	82	83	84
325	71	71	72	72	73	74	74	75	75	76	77	78	79	80	81	82	83	84	85
350	72	72	73	73	74	75	75	76	76	77	78	79	80	81	82	83	84	85	86
375	73	73	74	74	75	76	76	77	77	78	79	80	81	82	83	84	85	86	87
400	74	74	75	75	76	77	77	78	78	79	80	81	82	83	84	85	86	87	88
425	75	75	76	76	77	78	78	79	79	80	81	82	83	84	85	86	87	88	89
450	76	76	77	77	78	79	79	80	80	81	82	83	84	85	86	87	88	89	90
475	77	77	78	78	79	80	80	81	81	82	83	84	85	86	87	88	89	90	91
500	78	78	79	79	80	81	81	82	82	83	84	85	86	87	88	89	90	91	92
525	79	79	80	80	81	82	82	83	83	84	85	86	87	88	89	90	91	92	93
550	80	80	81	81	82	83	83	84	84	85	86	87	88	89	90	91	92	93	94
575	81	81	82	82	83	84	84	85	85	86	87	88	89	90	91	92	93	94	95
600	82	82	83	83	84	85	85	86	86	87	88	89	90	91	92	93	94	95	96
625	83	83	84	84	85	86	86	87	87	88	89	90	91	92	93	94	95	96	97
650	84	84	85	85	86	87	87	88	88	89	90	91	92	93	94	95	96	97	98
675	85	85	86	86	87	88	88	89	89	90	91	92	93	94	95	96	97	98	99
700	86	86	87	87	88	89	89	90	90	91	92	93	94	95	96	97	98	99	100

TABLE 106-8

Correction to be Added for Road-Gradient (dB)

Given the road gradient and the percentage of vehicles larger than vans or pickups, this Table provides a correction to the predicted one hour equivalent sound level (L_{eq}) representing the increased load imposed on heavy vehicles by a road gradient. For any intermediate value of percentage road gradient not shown in the Table, the nearest value in the Table shall be used.

Percentage of Vehicles Larger than Vans or Pickups	Gradient				
	1%	2%	3%	4%	5%
	dB				
0 - 7	0	1	1	1	2
8 - 12	1	1	2	2	3
13 - 17	1	1	2	3	3
18 or over	1	2	3	3	4

TABLE 106-9

Correction to be Added for Interrupted Traffic Flow (dB)

Percentage of Vehicles Larger than Vans or Pickups	Distance (metres) Point of Reception to Nearest Point of Interrupted Traffic Flow			
	0 to 60	60.1 to 90	90.1 to 120	120.1 to 150
	dB			
0 - 10	2	1	1	1
11- 22	3	2	2	1
83 or over	4	3	2	1

TABLE 106-10

Correction to be Added to (+) or Subtracted from (-) the Equivalent Sound Level (L_{eq}) For Distance from Centre Line of Road to Point of Reception and for Total Effective Height Above Ground

Total Effective Height (metres) Above Ground*	Horizontal Distance (metres) from Centre Line of Road to Point of Reception																					
	9	12	15	18	24	30	37	50	60	75	100	120	150	200	250	300	370	500				
ALL HEIGHTS	+5	+4	+3	+2	+1	0	-1	-2	-3	-4	-5	-6	-7	-8	-9	-10	-11	-12				
										REFLECTIVE SURFACES												
										OTHER SURFACES												
54.1 and over	+5	+4	+3	+2	+1	0	-1	-2	-3	-4	-5	-6	-7	-8	-9	-11	-13	-15				
43.1 - 54	+5	+4	+3	+2	+1	0	-1	-2	-3	-4	-5	-6	-7	-8	-10	-12	-14	-16				
34.1 - 43	+5	+4	+3	+2	+1	0	-1	-2	-3	-4	-5	-6	-7	-9	-11	-13	-14	-17				
27.1 - 34	+5	+4	+3	+2	+1	0	-1	-2	-3	-4	-5	-6	-8	-10	-12	-14	-16	-18				
21.1 - 27	+5	+4	+3	+2	+1	0	-1	-2	-3	-4	-5	-7	-9	-11	-13	-15	-17	-19				
17.1 - 21	+5	+4	+3	+2	+1	0	-1	-2	-3	-4	-6	-8	-10	-12	-14	-16	-18	-20				
14.1 - 17	+5	+4	+3	+2	+1	0	-1	-2	-3	-5	-7	-9	-11	-13	-15	-17	-19	-21				
11.1 - 14	+5	+4	+3	+2	+1	0	-1	-2	-3	-6	-8	-10	-12	-14	-16	-18	-20	-22				
8.1 - 11	+5	+4	+3	+2	+1	0	-1	-3	-5	-7	-9	-11	-13	-15	-17	-18	-20	-21				
7.1 - 8	+5	+4	+3	+2	+1	0	-2	-4	-6	-8	-10	-12	-14	-16	-17	-19	-20	-22				
5.1 - 7	+5	+4	+3	+2	+1	-1	-3	-4	-7	-9	-11	-13	-14	-16	-18	-19	-20	-22				
4.1 - 5	+5	+4	+3	+2	0	-2	-4	-6	-8	-10	-12	-14	-15	-17	-18	-20	-21	-23				
2.1 - 4	+5	+4	+3	+1	0	-2	-4	-6	-9	-10	-12	-14	-16	-18	-19	-21	-22	-24				
up to 2	+5	+4	+3	+1	-1	-3	-5	-7	-9	-11	-13	-15	-17	-19	-21	-22	-23	-25				

*Total Effective Height is the sum of the Effective Source Height (from Table 106-11) and the height of the point of reception above the ground.

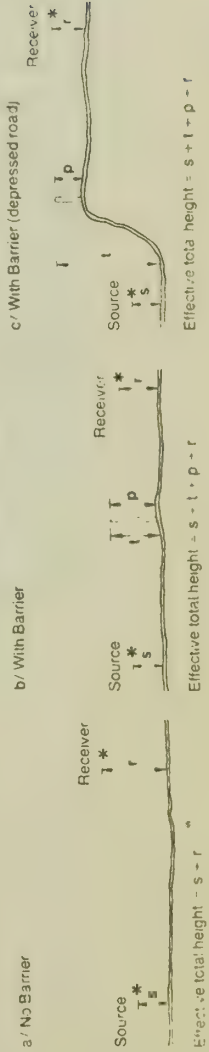


TABLE 106-11Effective Source Height (metres) for Road Traffic

Percentage of Vehicles Larger than Vans or Pick- ups:	<u>Speed Limit km/h</u>			
	50	65	80	90 or greater
	Source Height (m)			
up to 0.5	0.3	0.3	0.3	0.3
0.6 to 1.5	1.2	1.0	0.6	0.6
1.6 to 3.0	1.5	1.2	1.0	1.0
3.1 to 6.0	1.8	1.5	1.2	1.0
7 to 12	2.1	1.8	1.2	1.2
13 to 24	2.4	1.8	1.5	1.2
25 or over	2.4	2.1	1.5	1.5

Publication NPC-115

Construction Equipment

1. Scope

This Publication sets sound emission standards for various items of new construction equipment according to the date of manufacture of the equipment.

2. Technical Definitions

The technical terms used in this Publication are defined in Publication NPC-101 - Technical Definitions.

3. Sound Emission Standards

Tables 115-1 to 115-4 inclusive list Residential Area sound emission standards and Quiet Zone sound emission standards for specific items of new construction equipment measured in accordance with the procedures indicated.

TABLE 115-1

Quiet Zone and Residential Area Sound Emission Standards for
Excavation Equipment, Dozers, Loaders, Backhoes or
Other Equipment Capable of Being Used for
Similar Application

Maximum Sound Level as determined using Publication NPC-103 - Procedures, section 6		
dBA		
	Power Rating	Power Rating
Date of Manufacture	Less than 75 kW	75 kW and larger
January 1, 1979 to December 31, 1980	85	88
January 1, 1981 and after	83	85

TABLE 115-2Sound Emission Standards for Pneumatic Pavement Breakers

Standard	Date of Manufacture	Maximum Sound Level as measured using Publication NPC-103 - Procedures, section 7 dBA
Quiet Zone Sound Emission and after Standard	Jan. 1, 1979	85
Residential Area Sound Emission Standard	Jan. 1, 1979 to Dec. 31 1980 Jan. 1, 1981 and after	90 85

TABLE 115-3Sound Emission Standards for Portable Air Compressors

Standard	Date of Manufacture	Maximum Sound Level as measured using Publication NPC-103 - Procedures, section 7 dBA
Quiet Zone Sound Emission to Dec. 31, 1980 Standard	Jan. 1, 1979	76
	Jan. 1, 1981 and after	70
Residential Area Sound Emission Standard	Jan. 1, 1979 and after	76

TABLE 115-4

Sound Emission Standard for Tracked Drills

Standard	Date of Manufacture	Maximum Sound Level as measured using Publication NPG-103 - Procedures, section 6.
		dBA
Quiet Zone and Residential Area Sound Emission Standard	Jan. 1, 1981 and after	100

Publication NPC-116Residential Air Conditioners1. Scope

This Publication sets sound level limits and sound emission standards for residential air conditioning devices.

2. Technical Definitions

The technical terms used in this Publication are defined in Publication NPC-101 - Technical Definitions.

3. Sound Level Limits

Table 116-1 lists the sound level limits for residential air conditioning devices, where the sound level is measured in accordance with the procedure set out in the Table.

TABLE 116-1
Sound Level Limits

<u>Central Air Conditioning Devices</u>		
Date of Installation	L_{eq} (dBA)	Measurement Procedure
Before Jan. 1, 1980	50	NPC-103 - Section 3 Procedure for Measurement of Steady or Impulsive Sound
Jan. 1, 1980 and after	45	
<u>Window or Through-the-Wall Air Conditioning Devices</u>		
Date of Installation	L_{eq} (dBA)	Measurement Procedure
Jan. 1, 1978 and after	50	NPC-103 - Section 3 Procedure for Measurement of Steady or Impulsive Sound

4. Sound Emission Standards

Table 116-2 lists the sound emission standards for new residential air conditioning devices, including heat pumps, measured in accordance with the procedures indicated in the Table.

TABLE 116-2

SOUND EMISSION STANDARD FOR RESIDENTIAL AIR CONDITIONERS

(under Preparation)

Publication NPC-117Domestic Outdoor Power Tools1. Scope

This Publication sets sound emission standards for various domestic outdoor power tools.

2. Technical Definitions

The technical terms used in this Publication are defined in Publication NPC-101 - Technical Definitions.

3. Sound Emission Standards

Table 117-1 lists sound emission standards for walk-behind powered lawn mowers measured according to the procedure indicated in the Table.

TABLE 117-1

Sound Emission Standards for Walk-Behind Powered
Lawn Mowers

Date of Manufacture	Maximum Sound Level as Measured using Publication NPC-103 - Procedures section 8 dBA
Jan. 1, 1979 to Dec. 31, 1980	73
Jan. 1, 1981 and after	69

Publication NPC-118Motorized Conveyances1. Scope

This Publication sets sound emission standards for motorized conveyances of various types.

2. Technical Definitions

(1) The technical terms used in this Publication are defined in Publication NPC-101 - Technical Definitions.

(2) Definitions Specific to this Publication

Heavy Vehicle

"Heavy vehicle" means a motorized conveyance having a registered gross weight of more than 4,500 kg.

3. Sound Emission Standards - Governed Diesel Engines

Table 118-1 lists for various years of manufacture, the sound emission standard for a heavy vehicle powered by a governed diesel engine when measured in accordance with the procedure set out in the Table.

TABLE 118-1

Sound Emission Standards for Heavy Vehicles
with Governed Diesel Engines

Date of Manufacture	Maximum Sound Level as Measured Using Publication NPC-103 - Procedures, section 9
Prior to Jan. 1, 1979	100
Jan. 1, 1979 and after	95

4. Sound Emission Standards - Gasoline Engines

Table 118-2 lists for various years of manufacture, the sound emission standard for a heavy vehicle powered by an ungoverned gasoline engine, when measured in accordance with the procedure set out in the Table.

TABLE 118-2

UNDER PREPARATION

Publication NPC-119Blasting1. Scope

This Publication refers to limits on sound (concussion) and vibration due to blasting operations.

2. Technical Definitions

The technical terms used in this Publication are defined in Publication NPC-101 - Technical Definitions.

3. Measurement Procedures

All measurements of peak pressure level and vibration velocity shall be made in accordance with the "Procedure for Measurement of Sound and Vibration due to Blasting Operations" set out in Publication NPC-103 - Procedures, section 5.

4. Concussion - Cautionary Limit

Subject to section 5 the peak pressure level limit for concussion resulting from blasting operations in a mine or quarry is 120 dB.

5. Concussion - Peak Pressure Level Limit

If the person in charge of a blasting operation carries out routine monitoring of the peak pressure level, the peak pressure level limit for concussion resulting from blasting operations in a mine or quarry is 128 dB.

6. Vibration - Cautionary Limit

Subject to section 7, the peak particle velocity limit for vibration resulting from blasting operations in a mine or quarry is 1.00 cm/s.

7. Vibration - Peak Particle Velocity Limit

If the person in charge of a blasting operation carries out routine monitoring of the vibration the peak particle velocity limit for vibration resulting from blasting operations in a mine or quarry is 1.25 cm/s.

SCHEDULE 2

TO BY-LAW NO. 29-292

(Section 2(1)(b))

GENERAL PROHIBITIONS

1. Racing of any motorized conveyance other than in a racing event regulated by law.
2. The operation of a motor vehicle in such a way that the tires squeal.
3. The operation of any combustion engine without an effective exhaust muffling device in good working order and in constant operation.
4. The operation of a vehicle or a vehicle with a trailer resulting in banging, clanking, squealing or other like sounds due to improperly secured load or equipment, or inadequate maintenance.
5. The operation of an engine or motor in, or on, any motor vehicle or item of attached auxiliary equipment for a continuous period exceeding five minutes, while such vehicle is stationary in a Residential Area or a Quiet Zone, unless,
 - (a) the vehicle is in an enclosed structure constructed so as to effectively prevent excessive noise emission; or,
 - (b) the original equipment manufacturer specifically recommends a longer idling period for normal and efficient operation of the motor vehicle in which case such recommended period shall not be exceeded; or,
 - (c) operation of such engine or motor is essential to a basic function of the vehicle or equipment, including but not limited to, operation of ready-mixed concrete trucks, lift platforms or refuse compactors and heat exchange systems; or,
 - (d) weather conditions justify the use of heating or refrigerating systems powered by the motor or engine for the safety and welfare of the operator, passengers or animals, or the preservation of perishable cargo; or
 - (e) prevailing low temperatures make longer idling periods necessary, immediately after starting the motor or engine; or,
 - (f) the idling is for the purpose of cleaning and flushing the radiator and associated circulation system for seasonal change of antifreeze, cleaning of the fuel system, carburetor or the like, when such work is performed other than for profit.
6. The operation of a motor vehicle horn or other warning device except where required or authorized by law or in accordance with good safety practices.
7. The operation of any item of construction equipment in a Quiet Zone without effective muffling devices in good working order and in constant operation.

SCHEDULE 3

(Section 2(1)(c))

PROHIBITIONS BY TIME AND PLACE

PART I

	<u>Prohibited Period of Time</u>	
	<u>Quiet Zone</u>	<u>Residential Area</u>
1. The operation of any auditory signalling device, including but not limited to the ringing of bells or gongs and the blowing of horns or sirens or whistles, or the production, reproduction or amplification of any similar sounds by electronic means except where required or authorized by-law or in accordance with good safety practices.	at any time	11:00 p.m. to 7:00 a.m.
2. The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers, and intended for the production, reproduction or amplification of sound.	at any time	11:00 p.m. to 7:00 a.m.
3. All selling or advertising by shouting out-cry or amplified sound.	at any time	9:00 p.m. to 7:00 a.m.
4. Loading, unloading, delivering, packing, unpacking, or otherwise handling any containers, produce, materials, or refuse whatsoever, unless necessary for the maintenance of essential services.	11:00 p.m. to 7:00 a.m.	11:00 p.m. to 7:00 a.m.
5. The operation of any construction equipment in connection with construction	7:00 p.m. to 7:00 a.m.	11:00 p.m. to 7:00 a.m.
6. The detonation of fireworks or explosive devices.	at any time	11:00 p.m. to 7:00 a.m.
7. The operation of a combustion engine which, (i) is, or (ii) is used in, or (iii) is intended for use in, a toy or a model or replica of a larger device, which model or replica has no function other than amusement and which is not a conveyance.	at any time	11:00 p.m. to 7:00 a.m.
8. The operation of any powered rail car including but not limited to refrigeration cars, locomotives or self-propelled passenger cars, while stationary on property not owned or controlled by a railway governed by The Canada Railway Act.	at any time	11:00 p.m. to 7:00 a.m.
9. The operation of any motorized conveyance other than on a highway or other place intended for its operation.	at any time	11:00 p.m. to 7:00 a.m.
10. The venting, release or pressure relief of air, steam or other gaseous material, product or compound from any autoclave, boiler, pressure vessel, pipe, valve, machine, device or system.	at any time	11:00 p.m. to 7:00 a.m.

Schedule 3 - continued

	<u>Prohibited Period of Time</u>	
	<u>Quiet Zone</u>	<u>Residential Area</u>
11. Persistent barking, calling or whining or other similar persistent noise making by any domestic pet.	at any time	11:00 p.m. to 7:00 a.m.
12. The operation of any powered or non-powered tool for domestic purposes other than snow removal.	9:00 p.m. to 9:00 a.m.	11:00 p.m. to 7:00 a.m.
13. The operation of solid waste bulk lift or refuse compacting equipment.	5:00 p.m. to 7:00 a.m.	11:00 p.m. to 7:00 a.m.
	All day Sunday, Statutory Holidays and Civic Holidays	
14. The operation of commercial car wash with air drying equipment.	7:00 p.m. to 7:00 a.m.	7:00 p.m. to 7:00 a.m.
15. The operation of a power assisted hang glider or a parafoil.	at any time	9:00 p.m. to 9:00 a.m.
16. The operation of any item of snow making equipment.		
17. The operation of a sound emitting pest control device.		

PART II

1. For the purpose of this schedule, "motorized conveyance" includes,
- (a) Snowmobiles;
 - (b) mopeds;
 - (c) go-carts;
 - (d) track bikes;
 - (e) trail bikes.

SCHEDULE 4

To By-law No. 79-292

(Section 23)

1. Operation of authorized emergency vehicles.
2. Operation of bells - utilized as traffic control devices including the following:
 1. Bells at traffic signal locations;
 2. Bells at railway crossings.
3. Operation of City machines and equipment including the following for emergency purposes:
 1. Crosswalk painting machines;
 2. Catchbasin cleaners;
 3. Tree and shrub pruning and mulching equipment.
4. Operation of construction equipment and machinery by or on behalf of the City carrying on or engaged in the performance of public works for emergency purposes.

75

SCHEDULE 5

(Section 2 (1))

QUIET ZONES

1. The following areas comprised of lands and premises are hereby designated as quiet zones:

1. Henderson General Hospital.
2. Hamilton General Hospital.
3. Chedoke Hospital.
4. St. Joseph's Hospital.
5. McMaster Hospital.
6. St. Peter's Infirmary.
7. Macassa Lodge.

RESIDENTIAL AREAS

2. Except as provided in section 3, the following areas comprised in Residential Districts in clause "A" of subsection 2 of section 2 of Zoning By-Law No. 6593, are hereby designated as residential areas:

1. "A", "AA" Districts.
2. "B", "B1", "B2" Districts.
3. "C" Districts.
4. "D", "DE", "DE-2", "DE-3" Districts.
5. "E", "E-1", "E-2", "E-3" Districts.
6. "RT-10", "RT-20", "RT-30" Districts.

3. The areas comprised in the Residential Districts designated as residential areas under Section 2 of this schedule, shall not include any lot of record, any part of which is within an area 50 metres wide extending along the whole perimeter of the Industrial Districts south of Barton Street and industrial Districts in the area north of Barton Street, west of Wellington Street referred to in clause "E" of subsection 2 of Section 2 of Zoning By-Law No. 6593, as follows:

1. "J", "JJ", "J-3" Districts.
2. "K", "KK" Districts.

SCHEDULE 6

(Section 6)

TRADITIONAL, FESTIVE, RELIGIOUS and OTHER ACTIVITIES EXEMPTED

1. Ivor Wynne Stadium Events
2. Gage Park Concerts
3. City Hall Concerts
4. Festival of Friends
5. New Years Celebrations
6. Victoria Day Celebrations
7. It's Your Bag Day.

The Corporation of the City of Hamilton

BY-LAW NO. 79- 293

To Amend:

Traffic By-law No. 66-100

Respecting:

AREA TIME LIMIT EXEMPTION

WHEREAS section 2 of The City of Hamilton Act, 1975, Statutes of Ontario 1975, Chapter 99 empowers the Council of The Corporation of the City of Hamilton to establish permit parking including providing for exemption from parking prohibitions in By-law No. 66-100 where a permit is issued.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 66-100 is amended by adding the following section thereto:

AREA TIME LIMIT EXEMPTION

34b. (1) In this section,

(a) "approved motor vehicle" means,

- (i) an automobile; and
- (ii) a station wagon; and
- (iii) a motorcycle; and
- (iv) a van or truck which is licensed by the Ministry of Transportation and Communications as a commercial motor vehicle, but which has stamped on the vehicle registration, by the Ministry of Transportation and Communications, the words "Primarily Personal/Recreation Use";

but does not include,

- (i) a commercial motor vehicle for which the permit fee under The Highway Traffic Act is based on the weight of the vehicle and load in excess of 4 tons; or
- (ii) a vehicle which exceeds twenty-one feet in length; or

- (iii) a vehicle which is equipped with dual rear wheels; or
 - (iv) a vehicle which is a tow truck; or
 - (v) a vehicle which is a bus, or a bus converted into a mobile home or used for commercial purposes;
- (b) "area time limit exemption permit" means a permit issued by the Traffic Commissioner, which exempts an approved motor vehicle from time limit regulations within a time limit exemption area;
- (c) "arterial street" means a street determined by the Traffic Commissioner to be an arterial street;
- (d) "eligible applicant" means an owner, occupant or tenant of a residential premises, situate within a time limit exemption area, who
- (i) resides at the said premises; and
 - (ii) is the registered owner of an approved motor vehicle;
- (e) "time limit exemption area" means,
- (i) a street or part of a street listed in schedule 39; and
 - (ii) an area illustrated in and numbered in accordance with schedule 40.
- (2) A street, or part of a street, listed in schedule 39, or an area illustrated in schedule 40 is designated as a time limit exemption area.
- (3) An eligible applicant may apply for an area time limit exemption permit for an approved motor vehicle, and for the time limit exemption area within which the residential property is situate.
- (4) An application for an area time limit exemption permit shall provide the following information:
- (a) Name and place of residence of the applicant; and
 - (b) Licence number, make and colour of the approved motor vehicle for which the applicant is the registered owner and for which the application is being made; and
 - (c) Such further and other information as the Traffic Commissioner may require for the purpose of the application.

(5) The Traffic Commissioner may, with the approval of Council, issue an area time limit exemption permit to an eligible applicant, for an approved motor vehicle.

(6) The Traffic Commissioner shall erect and maintain official signs in each time limit exemption area identifying each street and each block to which time limit exemptions apply, and which indicate the number assigned to the time limit exemption area within which the street and block are situate.

(7) The fee for each area time limit exemption permit shall be \$2.00 per month, payable in advance on a calendar year basis, on or before the first day of January of each year.

(8) A motor vehicle displaying a current and valid area time limit exemption permit, permanently affixed to the lower left corner of the windshield and facing the exterior of the vehicle on the driver's side, and clearly visible to outside viewing, may be parked in any parking space within the time limit exemption area specified on the permit, for a period of time exceeding the parking time limit time displayed on official signs on that street.

(9) Notwithstanding subsection 8, a motor vehicle shall not be parked for a period of time exceeding the parking time limit displayed on official signs on the following streets:

1. An arterial street.
2. A through highway listed in schedule 9.
3. A highway under the jurisdiction of the Regional Municipality of Hamilton-Wentworth.

(10) Notwithstanding subsection 8, a motor vehicle shall not be parked in a parking space for a period of time exceeding 12 hours.

(11) Notwithstanding subsection 8, a motor vehicle shall not be parked in a time limit exemption area contrary to,

- (a) the directions on permanent or temporary signs, erected by the City, for the purpose of permitting the construction or maintenance of the pavement, sidewalks, boulevards, trees, public utilities or other physical features on, above or below the public highway, or for any other purpose; or

- (b) the directions of a police constable or other police officer, or a member of the Fire Department; or
- (c) the directions of the operator of an authorized emergency vehicle; or
- (d) any other provisions in this by-law.

(12) The Traffic Commissioner, with the approval of Council, may upon 30 days notice, cancel an area time limit exemption permit, and the unexpired portion of the fee shall be refunded to the permit holder.

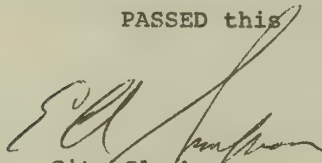
(13) Notwithstanding that an application has been made for an area time limit exemption permit, or an area time limit exemption permit has been issued and is in force or is not in force, no provision of this by-law shall oblige the Council to issue, renew or reinstate an area time limit exemption permit and no person shall enjoy a vested right in the issuance or continuance of an area time limit exemption permit.

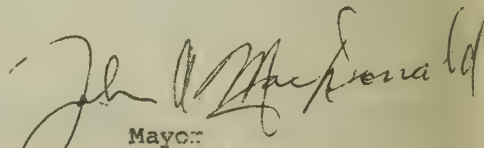
2. Section 34a of the said by-law is amended by adding thereto the following clause:

(d) a motor vehicle for which an area time limit exemption permit has been issued and is affixed and is in force, in accordance with section 34b, and which is parked within the time limit exemption area specified on the permit.

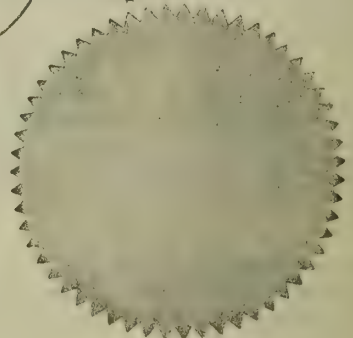
3. The said by-law is amended by adding thereto Schedules 39 and 40 annexed hereto and forming part of this by-law.

PASSED this 30th day of October A.D. 1979.


City Clerk


Mayor

(1976) 17 R.T.E.C. 10, May 11
(1979) 27 R.T.E.C. 8, September 25



SCHEDULE 39

Area Time Limit Exemption

On Streets or Parts of Streets

(Section 34b)

STREET

LOCATION

SCHEDULE 40

Area Time Limit Exemption in Areas

(Section 34b)

AREA

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 294

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act on Stonechurch Road;
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the City Engineer.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 9 of the Twentieth Report of the Traffic and Engineering Committee on the 29th day of May, 1979;

AND WHEREAS it is expedient to proceed without petition to undertake as local improvements the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed have not, within one month after first publication, petitioned the Council not to proceed with the works;

AND whereas the Council has procured to be made reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 2nd day of October, 1979, issue Order No. E 791070, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of a concrete sidewalk on Stonechurch Road as a local improvement on the initiative plan at an estimated cost of \$4,000.00, and
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$550.00 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$4,000.00.
2. The share or portion of the estimated cost of the works in the amount of \$550.00 to be borne by the lands abutting directly on the works and the estimated cost per foot to be rated shall be as set out in Schedule "A", provided that the actual rate per foot shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.

- 2 -

3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth -

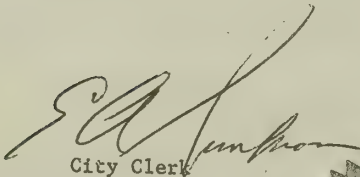
- (a) to the extent sufficient to provide an amount not exceeding \$550.00, and
- (b) repayable over a term not exceeding fifteen years, chargeable to The Corporation of the City of Hamilton;

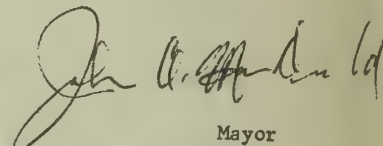
4. The City Engineer is hereby authorized to -

- (a) prepare all necessary plans, specifications and reports required for the construction of the works, and
- (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this 30th day of October A.D. 1979.


City Clerk


Mayor



SCHEDULE "A"

The construction on the south side of Stonechurch Road from Tunbridge Crescent to approximately 140 feet easterly of a concrete sidewalk at the costs and charges not exceeding those set out below:

City's share	\$3,450.00
Owners' share	<u>550.00</u>
Total Estimated Cost	<u><u>\$4,000.00</u></u>

Estimated Cost Per foot frontage: \$5.00

Fifteen annual instalments

The Corporation of the City of Hamilton

BY-LAW NO. 79- 295

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF UPPER WELLINGTON STREET
AND SOUTH OF HESTER STREET

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "JJ" (Restricted Light Industrial) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. Notwithstanding section 16A of By-law No. 6593,

(a) no use shall be permitted except professional and business office uses that are not accessory to an industrial use.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "JJ" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-677".

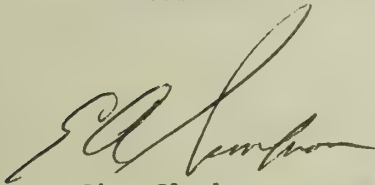
4. Sheet No. E-9A of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-677".

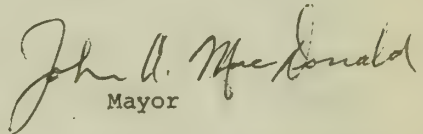
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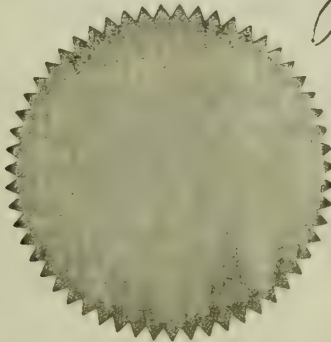
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of October A.D. 1979.


City Clerk


Mayor



(1979) 34 R.P.D.C. 4, October 9
Day and Campbell Limited, Owner
Z.A. 79-46

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 296

To Amend:

Zoning By-law No. 79-252

Respecting:

LAND LOCATED ON STONE CHURCH ROAD EAST AND ANCHOR ROAD

WHEREAS By-law No. 79-252, passed on the 28th day of August, 1979, rezoned lands shown on schedule "A" thereto as follows:

1. Block 1: from "A" to "M-13";
2. Block 2: from "AA" to "A";
3. Block 3: from "M-13" to "M-14";

AND WHEREAS it is intended to rezone Block 4 shown on the said schedule "A" from "M-13" to "M-14" and to provide for the location of the landscaped area referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause (c) of section 1 of By-law No. 79-252 is amended by adding at the end thereof "and Block 4," so that the clause shall read as follows:

(c) by changing from "M-13" (Prestige Industrial) district to "M-14" (Prestige Industrial) district, the land comprised in Block 3 and Block 4,

2. The second last line of section 1 is amended by striking out "and 3" at the end of the line and inserting in lieu thereof ", 3 and 4" so that the line shall read as follows:

the extent and boundaries of each of which Blocks 1, 2, 3 and 4

3. Clause (a) of paragraph 2 of section 2 of By-law No. 79-252 is amended by adding at the end thereof "where it abuts the "A" District lands; and", so that the clause shall read as follows:

- (a) a landscaped area having a depth of not less than 15 metres along the west lot line where it abuts the "A" District lands; and

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-658a".

5. Sheets Nos. E-69C and E-69D of the District Maps are amended by marking the land shown on schedule "A" to By-law No. 79-252 as Block 4, "S-658a".

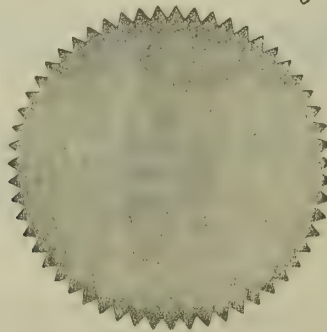
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of October A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79- 297

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 696 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-38A and E-38B of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, are amended,

- (a) by changing from "AA" (Agricultural) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "D" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variance as a special requirement:

- 1. Notwithstanding section 10(4)(i) of By-law No. 6593, a lot for a single family dwelling shall have a minimum width of 10.5 m and a minimum area of 326 m².

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-676".

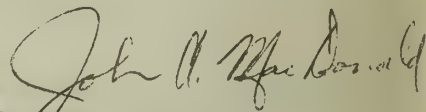
5. Sheets Nos. E-38A and E-38B of the District Maps are amended by marking the land referred to in section 1 of this by-law, "S-676".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

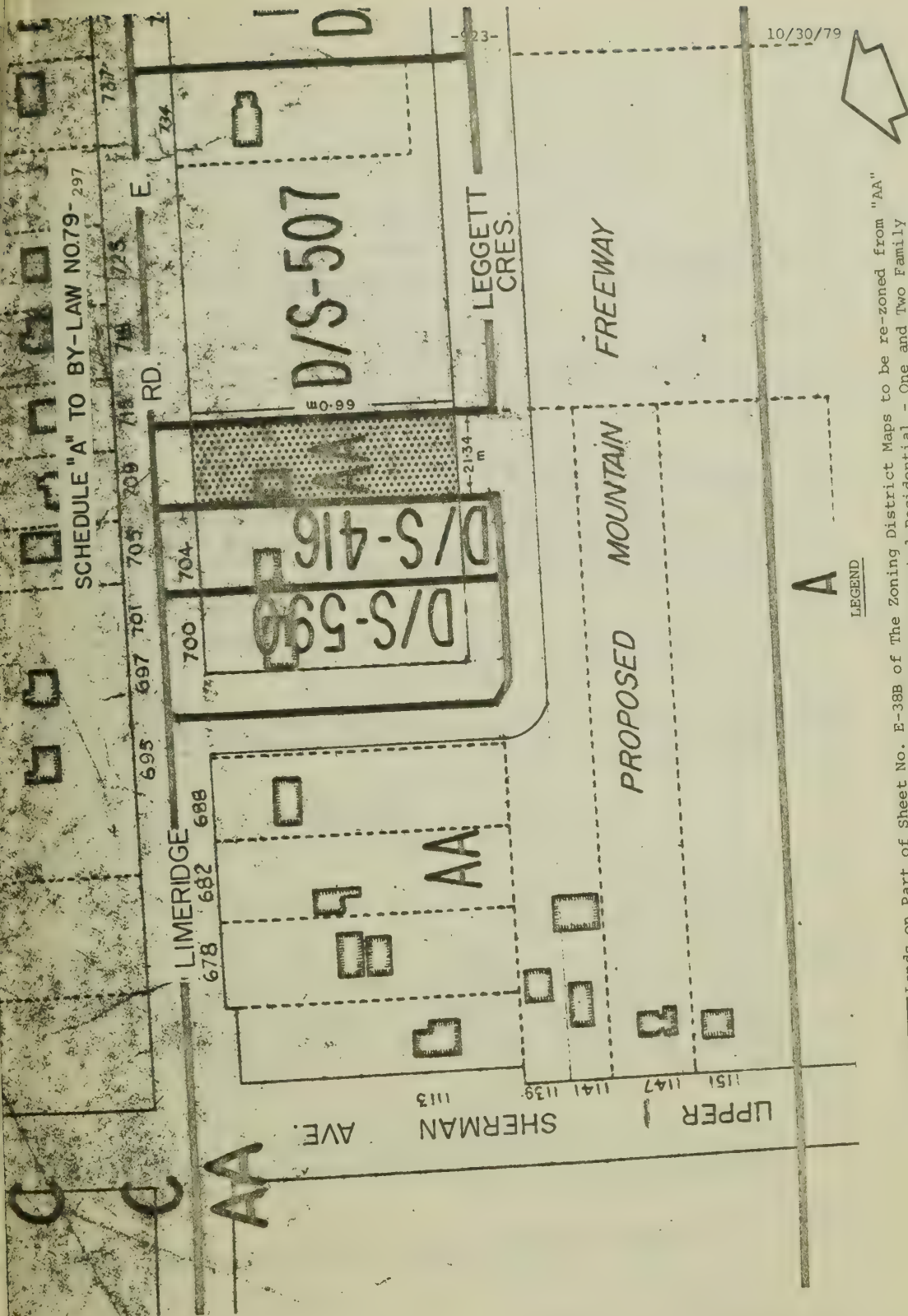
PASSED this 30th day of October A.D. 1979.


City Clerk


Mayor



(1979) 34 R.P.D.C. 3, October 9
I. Mastrangeli, Owner
Z.A. 79-54



LEGEND

Lands on Part of Sheet No. E-38B of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.

Bill No. 302

This is Schedule "A" to By-law No. 19-297 passed the 30th day of October, A.D., 1979

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79-298

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE NORTH SIDE OF LOCONDER DRIVE

WHEREAS it is intended to change the zoning of the land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act,

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38B of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

(a) by changing from "RT-10" (Townhouse) district to "C" (Urban Protected Residential) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

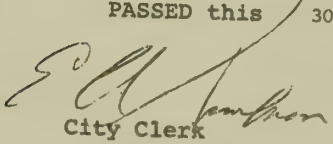
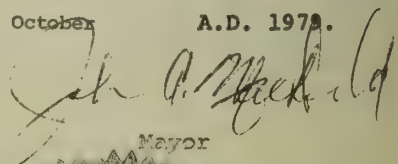
2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

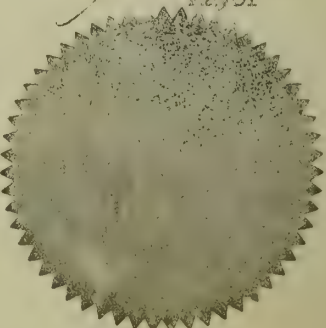
PASSED this 30th day of

October

A.D. 1979.


City Clerk
Mayor

(1979) 32 R.P.D.C. 1, September 25
Witold and Mary Korsak, Owners
Z.A. 79-47



Bill No. 303

The Corporation of the City of Hamilton

BY-LAW NO. 79- 299

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 883 UPPER WENTWORTH STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "AA" (Agricultural) district to "G-2" (Regional Shopping Centres) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

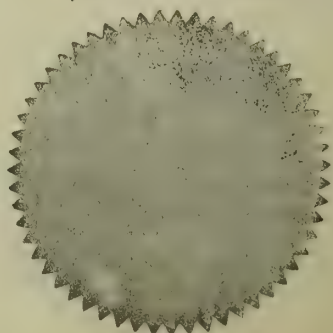
3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of October A.D. 1979.

[Signature]
City Clerk

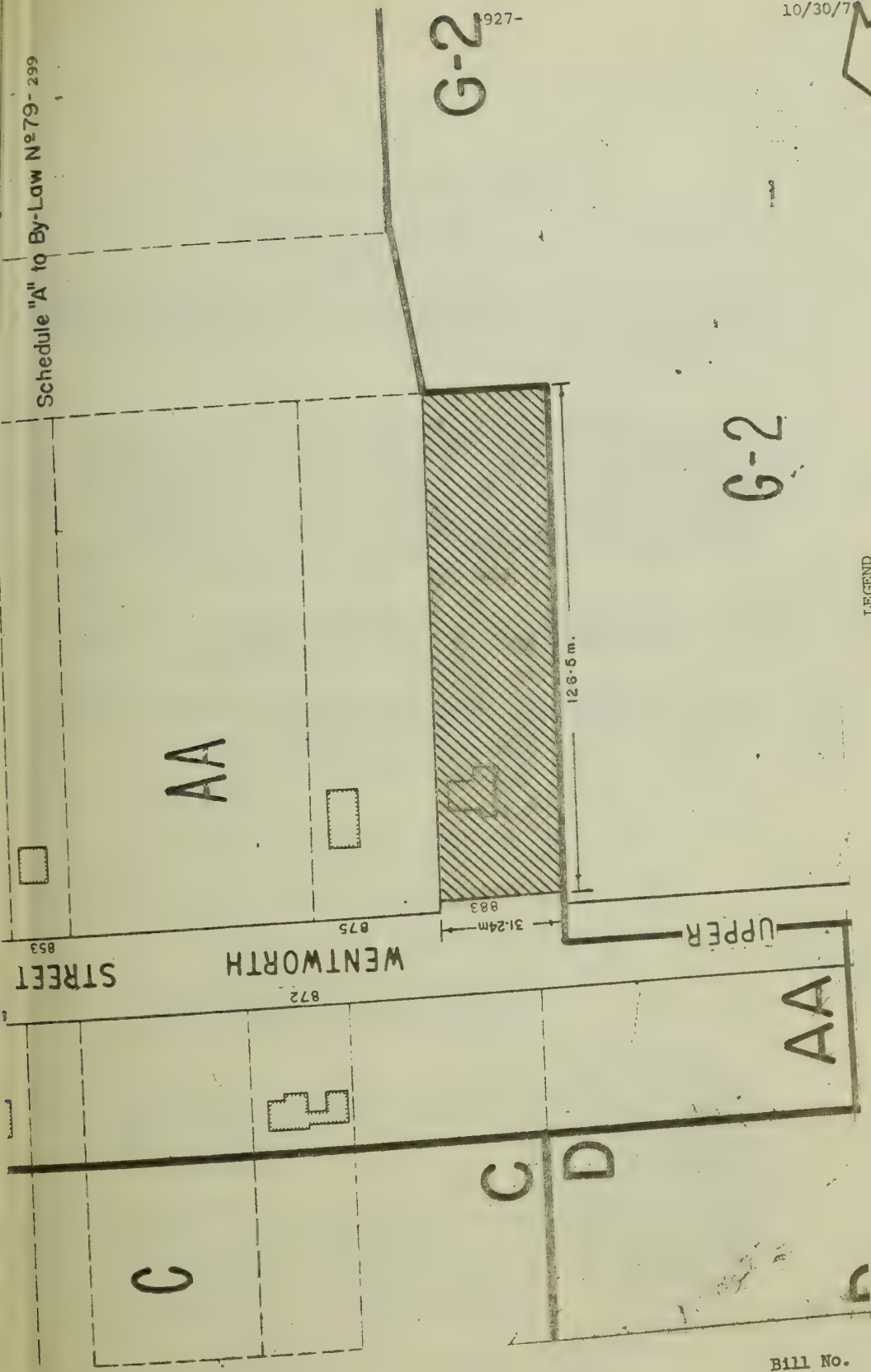
[Signature]
Mayor

(1979) 34 R.P.D.C. 1, October 9
Genstar Commercial Development
Company, Prospective Owner
Z.A. 79-50



10/30/79

G-2 927-



LEGEND

Lands on Part of Sheet No. E-27 of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District to "G-2" (Regional Shopping Centres) District.



Bill No. 304

This is Schedule "A" to By-law No. 79- 299 passed the 30th day of October, A.D., 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON
[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79- 300

To Authorize:

PAYMENT OF EXPENSES OF MEMBERS OF COUNCIL, OFFICERS, SERVANTS
AND OTHER PERSONS APPOINTED TO A LOCAL BOARD OR OTHER BODY

WHEREAS sections 389, 389a, 389b and 389d of The Municipal Act, R.S.O. 1970, Chapter 284, as re-enacted by section 22 of The Municipal Amendment Act, 1978, Chapter 32 and amended by section 8 of The Municipal Amendment Act, 1978, Chapter 101, provide for the payment of expenses of members of council, officers, servants of the City of Hamilton and of other persons appointed by council to serve as a member of a local board or any other body;

AND WHEREAS it is intended to provide for the payment of such expenses.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,
 - (a) "city" means The Corporation of the City of Hamilton;
 - (b) "council" means the council of the city;
 - (c) "member of council" means a member,
 - (i) acting either within or without the city in his or her capacity as a member of council or officer of the city;
 - (ii) appointed by council to serve as a member of a local board as defined in The Municipal Affairs Act or any other body in respect of his or her services on the board or other body;
 - (iii) serving pursuant to The Municipal Act or any other general or special Act, as an ex-officio member of such local board or other body except as a member of a public utilities commission, hydro-electric commission or school board;
 - (d) "officer and servant" mean an officer or servant of the city acting either within or without the city in his or her capacity as an officer or servant of the municipality of the City of Hamilton;

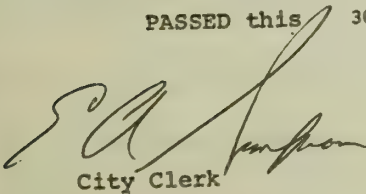
(e) "other person" means a person other than a member of council,

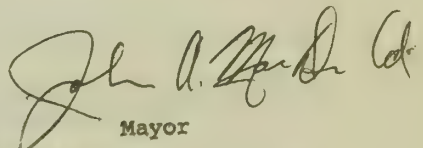
- (i) appointed by council to serve as a member of a local board as defined in The Municipal Affairs Act or any other body in respect of services on the board or other body;
- (ii) serving pursuant to The Municipal Act or any other general or special Act, as an ex-officio member of such local board or other body except as a member of a public utilities commission, hydro-electric commission or school board.

2. (1) The city treasurer is authorized to make payment of the expenses of members of council, officers and servants and other persons, in accordance with subsection 2.

(2) The expense allowance shall be calculated as the actual expense incurred in accordance with column 2 of schedule "A", hereto annexed and forming part of this by-law, for the corresponding expense item described in column 1 of the said schedule.

PASSED this 30th day of October A.D. 1979.


City Clerk


Mayor



Direction, Board of Control
September 14, 1979

SCHEDULE "A"

To

By-law No. 79- 300

EXPENSE ALLOWANCES

(Column 1) Description of Expense Item	(Column 2) Expense Allowance
1. Transportation: (1) To and from departure points, (a) where privately-owned vehicle is used; (b) where city-owned vehicle is used. (2) Air Transportation. (3) Train Transportation. (4) Bus Transportation. 2. Accommodation. 3. Registration or Entrance Fees. 4. Fund Exchange. 5. Per Diem items, additional to transportation to and from departure points. 6. Short Stay items, one day or part thereof, additional to transportation to and from departure points.	- actual expense incurred, based on mileage allowance in effect at time of use, but not exceeding the amount that would be paid to travel by economy air fare - actual expense incurred, but not exceeding the amount that would be paid to travel by economy air fare - actual expense incurred, but not exceeding the amount that would be paid to travel by economy air fare - actual expense incurred, but not exceeding the amount that would be paid to travel by economy air fare - actual expense incurred, but not exceeding the amount that would be paid to travel by economy air fare - actual expense incurred, based on single room rate, plus hotel tax where applicable actual expense incurred - actual additional expense incurred - Maximum of \$35.00 for each day, (a) travelling to and from Hamilton (b) in attendance at a conference, convention, seminar or like purpose, for which a Statement of Expense is submitted indicating an absence from regular daily duties for more than one day. - Actual expenses incurred, (a) travelling to and from Hamilton (b) in attendance at a conference, convention, seminar or like purpose, involving an absence from regular daily duties for not more than one day.

The Corporation of the City of Hamilton

BY-LAW NO. 79-301

To Amend:

Zoning By-law No. 79-253

Respecting:

PROPERTY LOCATED AT MUNICIPAL NO. 700 LIMERIDGE ROAD EAST

WHEREAS By-law No. 79-253, passed on the 28th day of August, 1979, provided for a modification of the existing "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district of the land shown on schedule "A" annexed thereto, so as to permit single family dwellings on lots having a minimum width of 10.5 metres and a minimum area of 336 square metres;

AND WHEREAS the minimum area is 326 square metres and not 336 square metres;

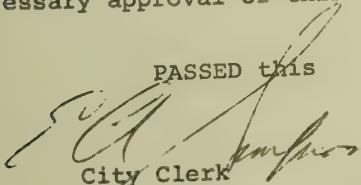
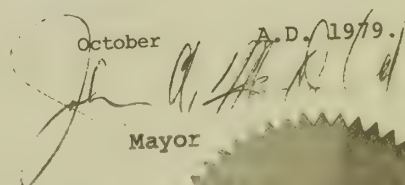
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

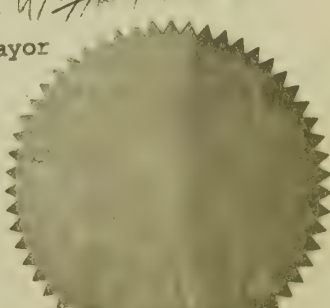
1. Paragraph 1 of section 1 of By-law No. 79-253 is amended by striking out the figures "336" in the last line and inserting in lieu thereof "326".
2. By-law No. 6593 is amended by adding this by-law to section 19B as "S-667a".
3. Sheets Nos. E-38A and E-38B of the District Maps are amended by marking the land shown on schedule "A" to By-law No. 79-253, "S-667a".
4. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
5. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of October

A.D. 1979.


City Clerk
Mayor

(1979) 27 R.P.D.C. 3, August 28
Celac Construction Limited, Owner
Z.A. 79-42



BY-LAW NO. 79 - 302

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

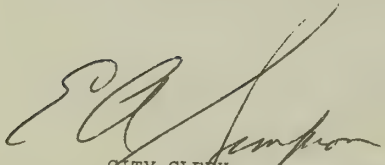
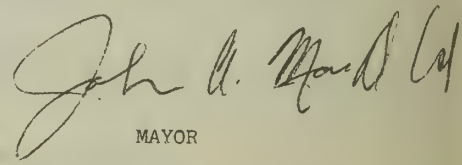
1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966, is hereby further amended by adding thereto the following items, namely:-

"Bendamere	Eastbound	Columbia
Columbia	Northbound and Southbound	Bendamere".
(easterly leg)		

2. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Cumberland	South	Sherman to 50 ft. easterly".
-------------	-------	------------------------------

PASSED this 30th day of October, 1979 A.D.


CITY CLERK
MAYOR

BY-LAW NO. 79 - 303

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 26 (No Parking Areas) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966, is hereby further amended;

(a) by deleting from Section A (No Parking Anytime) the following item, namely:-

"Riverdale	East	Jerome to 275 ft. south of Glenburn",
------------	------	---------------------------------------

and by adding thereto the following items, namely:-

"Riverdale	East	Jerome to south City limits
Acadia	North and	Upper Sherman to Beaverton
	East	
Acadia	South	Upper Sherman to westerly
		limit of Acadia
Beaverton	South	Upper Sherman to Acadia".

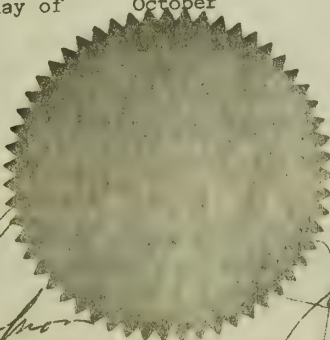
(b) by deleting from Section C (No Parking 7:00 AM-6:00 PM) the following items, namely:-

"Beaverton	Both	End to End
Acadia	Both	End to End",

and by adding thereto the following items, namely:-

"Beaverton	North	End to End
Acadia	West	Beaverton to southerly end".

PASSED this 30th day of October, A.D. 1979.


CITY CLERK
MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 79- 304

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 163 CENTENNIAL PARKWAY NORTH

WHEREAS it is intended to change the zoning of the land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-104 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

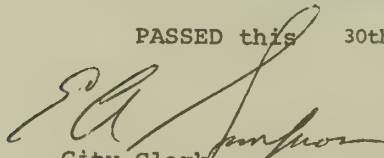
- (a) by changing from "L-c" (Planned Development - Commercial) district to "HH" (Restricted Community Shopping and Commercial) district, the land,

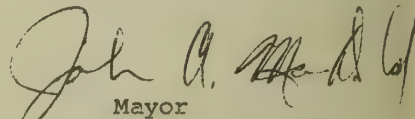
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

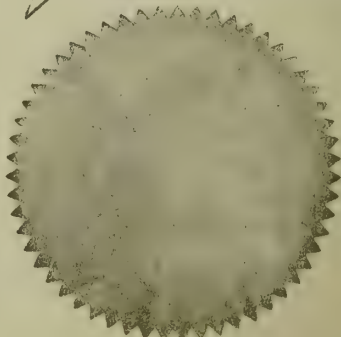
3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

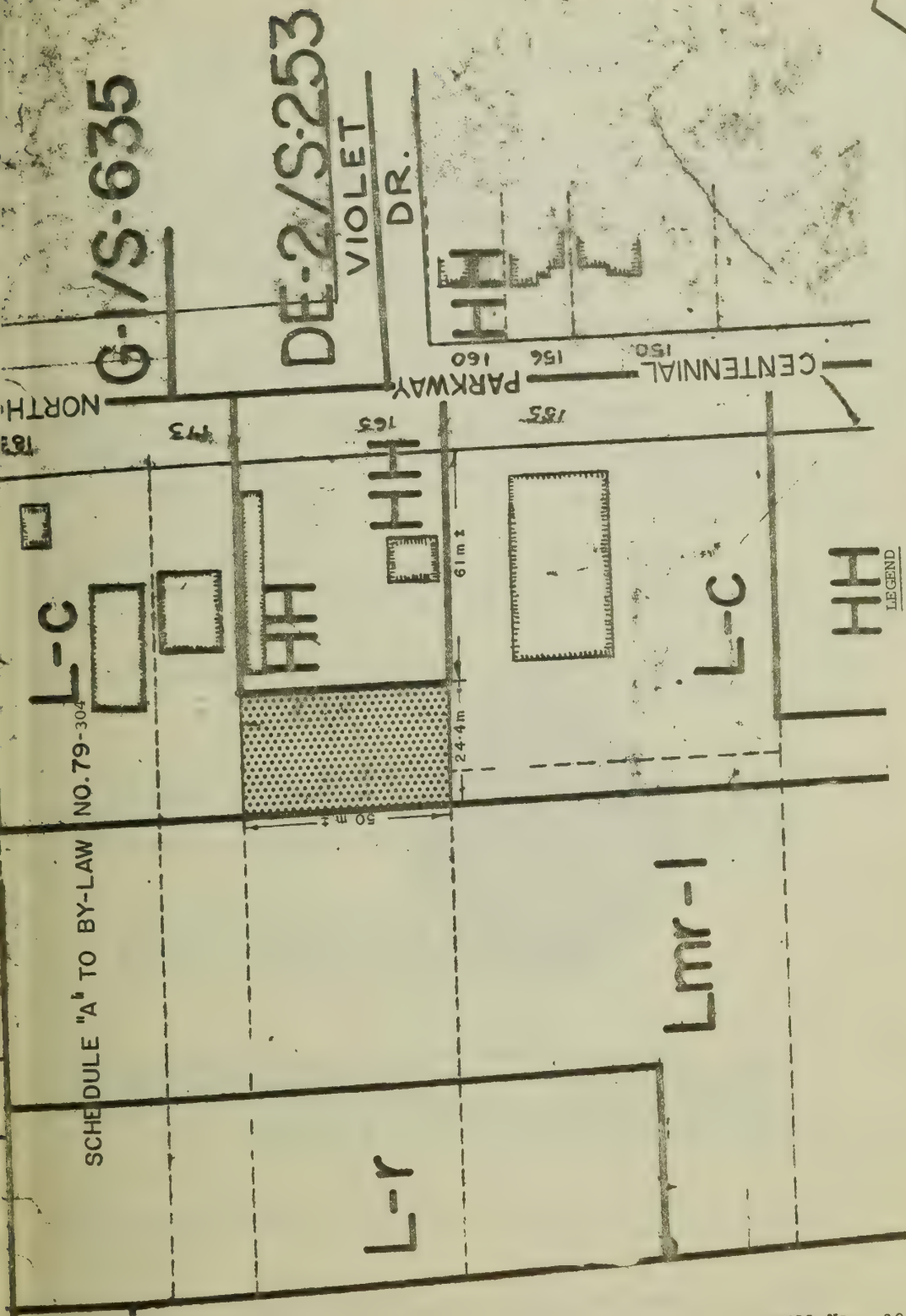
PASSED this 30th day of October A.D. 1979.


City Clerk


Mayor

(1979) 35 R.P.D.C. 2, October 29
P. Rybak, Owner
Z.A. 79-58





10/30/79

Lands on Part of Sheet No. E-104 of The Zoning District Maps to be re-zoned from L-c (Planned Development - Commercial) District to "HH" (Restricted Community Shopping and Commercial) District.



Bill No. 309

This is Schedule "A" to By-law No. 79-304 passed the 30th day of October, A.D., 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON
[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79- 305

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE NORTH-EAST CORNER OF LIMERIDGE ROAD EAST
AND UPPER WENTWORTH STREET

WHEREAS it is intended to use vacant land for the parking of motor vehicles in accordance with section 35(29) of The Planning Act and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "AA" (Agricultural) district provisions applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. The use of the land for the parking of motor vehicles for a period of two years from the date of the passing of this by-law, shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" District provisions, subject to the special requirement referred to in section 1.

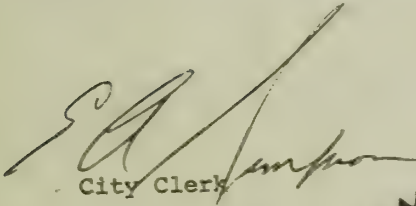
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-675".

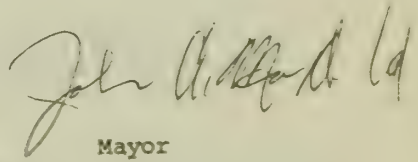
4. Sheet No. E-27A of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-675".

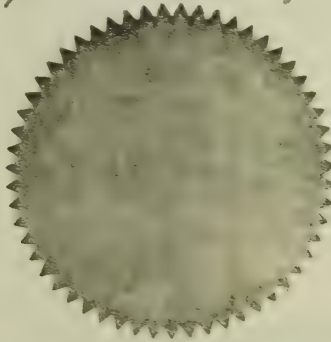
5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of October A.D. 1979.

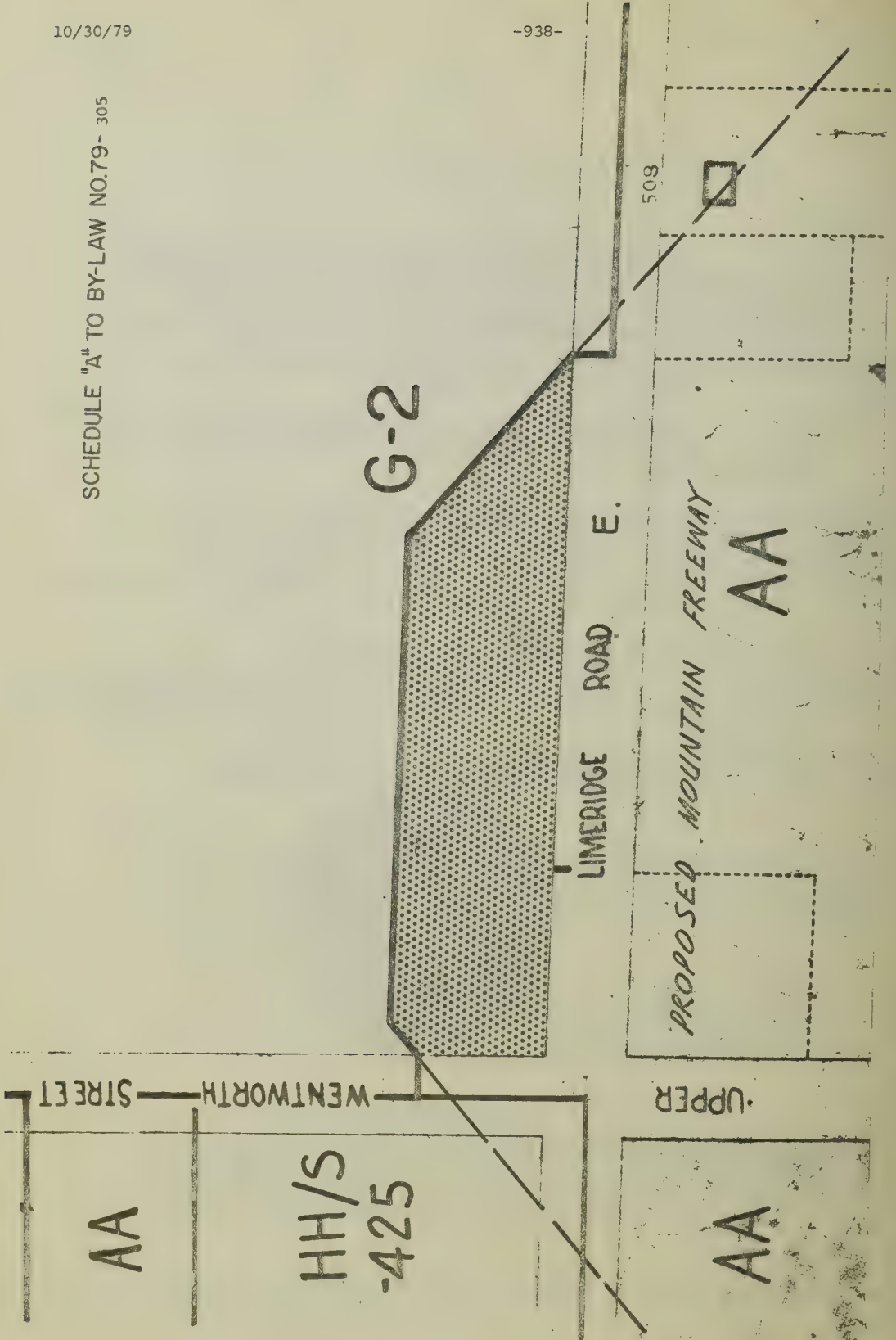

City Clerk


Mayor



(1979) 34 R.P.D.C. 2, October 9
City Initiative 79-T

SCHEDULE "A" TO BY-LAW NO.79- 305



Bill No. 310

This is Schedule "A" to By-law No.79-305 passed the 30th day of October, A.D., 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 306

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 231 MARY STREET NORTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. Notwithstanding sections 4(5) and 10 of By-law No. 6593, the land may be used for parking in accordance with the provisions of section 13C of the said By-law.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirement referred to in section 1.

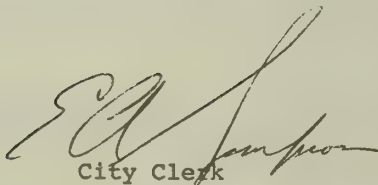
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-678".

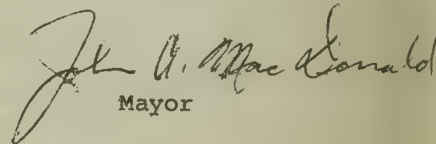
4. Sheet No. E-3 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-678".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of October A.D. 1979.


City Clerk


Mayor



(1979) 35 R.P.D.C. 1, October 29
D., L., and V. DiLuca, Owners
Z.A. 79-57

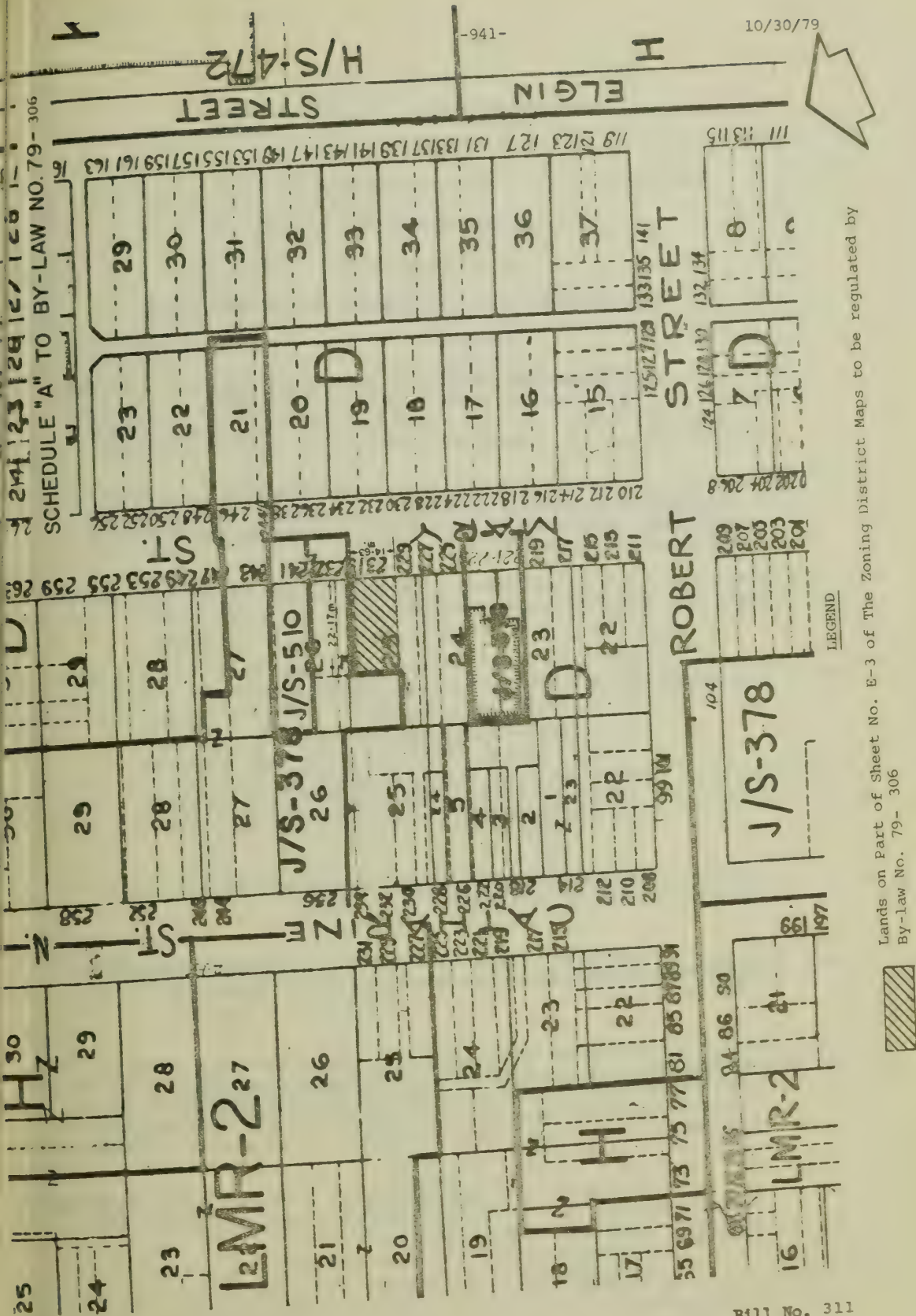
This is Schedule "A" to By-law No. 19- 306 passed the 30th day of October, A.D., 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

Bill No. 311



LEGEND
Lands on Part of Sheet No. E-3 of The Zoning District Maps to be regulated by
By-law No. 79- 306

10/30/79

-941-

SCHEDULE "A" TO BY-LAW NO. 79- 306

The Corporation of the City of Hamilton

BY-LAW NO. 79- 307

To Amend:

Zoning By-law No. 79-234

Respecting:

LAND LOCATED ON GEMINI DRIVE AND GAFNEY DRIVE

WHEREAS By-law No. 79-234, passed on the 31st day of July, 1979, established special requirements on the land zoned "D" (Urban Protected Residential - One and Two Family Dwellings, etc.), shown on schedule "A" annexed thereto;

AND WHEREAS it is intended to amend the special requirement respecting side yards in By-law No. 79-234 in accordance with Item 5 of the 35th Report of the Planning and Development Committee.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraph 2 of section 1 of By-law No. 79-234 is repealed and the following substituted therefor:

2. Notwithstanding section 10(3)(ii) of By-law No. 6593, no side yard shall be required along one side of each lot, except for that side of a lot abutting lands which are not part of the subject lands.

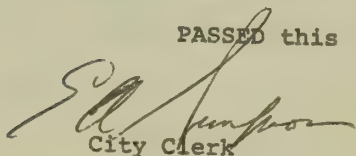
2. By-law No. 6593 is amended by adding this by-law to section 19B as "S-662a".

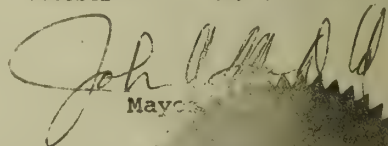
3. Sheet No. W-27C of the District Maps is amended by marking the land shown on schedule "A" to By-law No. 79-234, "S-662a".

4. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

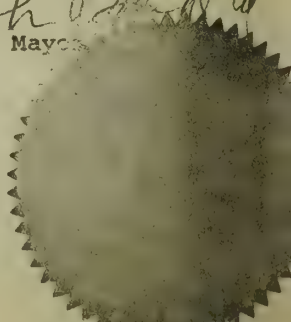
5. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of October A.D. 1979.


City Clerk


Mayor

(1979) 26 R.P.D.C. 4, July 31
(1979) 35 R.P.D.C. 5, October 29
Pars Development Corporation Limited, Owner
Z.A. 79-38



The Corporation of the City of Hamilton

BY-LAW NO. 79- 308

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE WEST LIMIT OF REGENT AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. W-27C and W-27D of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, are amended,

- (a) by changing from "AA" (Agricultural) district to "B-2" (Suburban Residential) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "B-2" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variance as a special requirement:

- 1. Notwithstanding section 8B(4) of By-law No. 6593, a lot shall have a width of at least 13.1 metres.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B-2" District provisions, subject to the special requirement referred to in section 2.

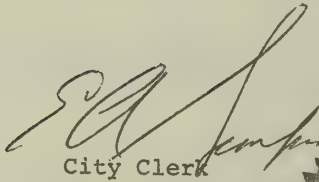
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-679".

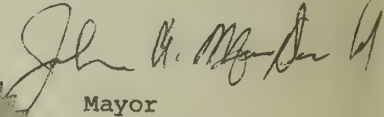
5. Sheets Nos. W-27C and W-27D of the District Maps are amended by marking the land referred to in section 1 of this by-law, "S-679".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 30th day of October A.D. 1979.


City Clerk


Mayor



(1979) 35 R.P.D.C. 3, October 29
H. Katz, (In Trust) and T. Tatti,
(In Trust), Owners
Z.A. 79-49



City Clerk

Mayor

Bill No. 313

LEGEND

Lands on part of Sheets No. W-27C and W-27D of The Zoning District Maps to be re-zoned from "AA" (Agricultural) District to "B-2" (Suburban Residential) District.

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The Corporation of the City of Hamilton

BY-LAW NO. 79 - 309

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE SOUTH-WEST CORNER OF QUEEN AND HUNTER STREETS

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-13 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "G" (Neighbourhood Shopping Centre, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "G" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variances as special requirements:

1. New building area shall not exceed 158 square metres of lot coverage.
2. Not less than 9 parking spaces and one loading space shall be provided on the land.
3. Notwithstanding subsection 3 of section 13 of By-law No. 6593, there shall be provided and maintained,
 - (a) a front yard having a depth of at least 2.4 metres; and
 - (b) a side yard along the south boundary of the land having a width of at least 3.6 metres.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" District provisions, subject to the special requirements referred to in section 2.

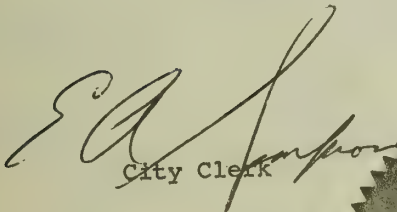
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-665".

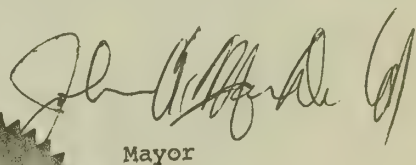
5. Sheet No. W-13 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-665".

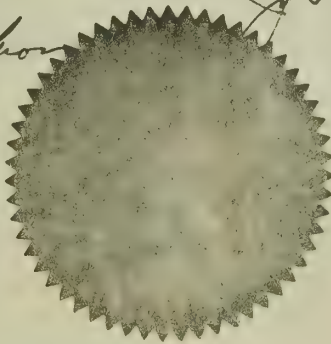
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

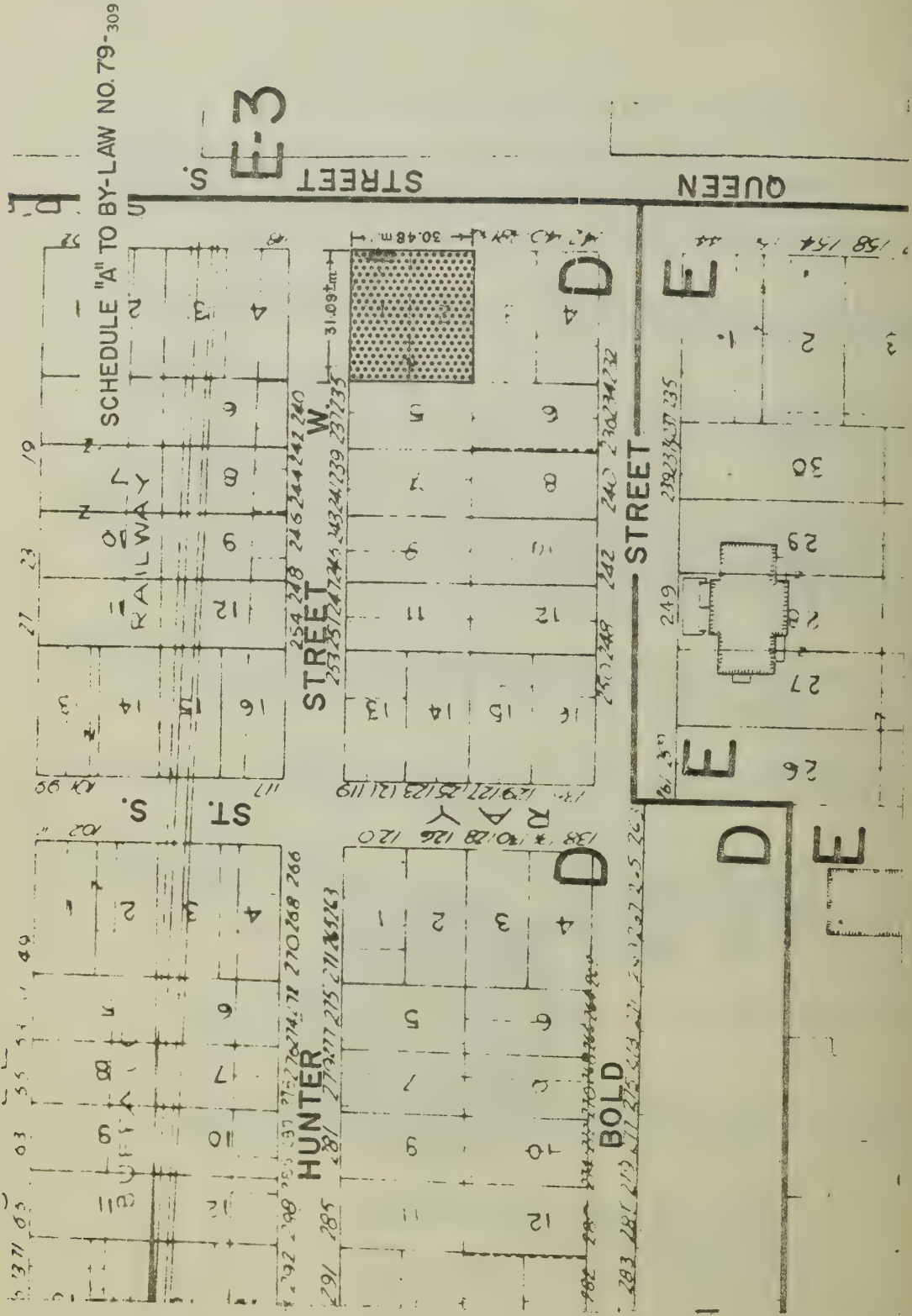
PASSED this 30th day of October A.D. 1979.


City Clerk


Mayor



(1979) 27 R.P.D.C. 1(b), August 28
Stephan Blashkiw, Owner
Z.A. 77-57



SCHEDULE "A" TO BY-LAW NO. 79-309

C-3

LEGEND

Lands on Part of Sheet No. W-13 of The Zoning District Maps to be re-zoned from "D" (Urban Protected Residential - One and Two Family) to "C-3" (Urban Protected Residential - One and Two Family) in the City of Hamilton.

Bill No. 315

This is Schedule "A" to By-law No. 79-309 passed the 30th day of October, A.D., 1979

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

Bill No. 314

BY-LAW No. 79-310

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 30TH DAY OF OCTOBER, A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

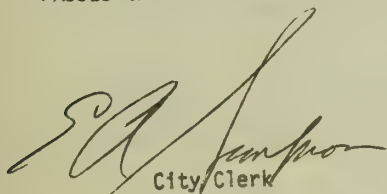
AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

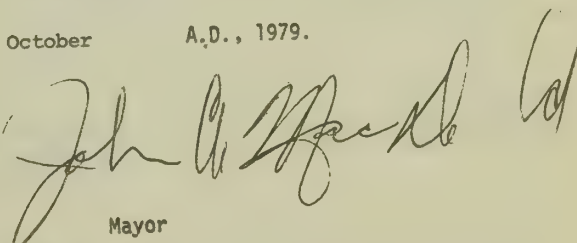
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

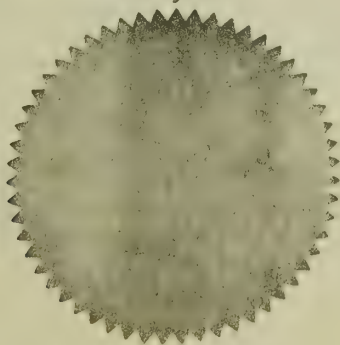
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 30th day of October A.D., 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79- 311

To Authorize:

An Additional Expenditure of \$90,000.00

Respecting:

THE FARMERS' MARKET

WHEREAS the Ontario Municipal Board by Order dated the 4th day of April, 1977 (File No. E 762269) approved,

- (a) the construction of the Farmers' Market on the south side of Merrick Street in the Lloyd D. Jackson Square at an estimated cost of \$1,500,000.00 and the borrowing of money therefor; and
- (b) the issuance of debentures in the sum of \$1,500,000.00 by The Regional Municipality of Hamilton-Wentworth, for a term of twenty years, chargeable to the applicant corporation;

AND WHEREAS the Ontario Municipal Board by Order dated the 29th day of December, 1977 approved an additional expenditure of \$55,000.00;

AND WHEREAS the Ontario Municipal Board by Order dated the 19th day of September, 1978 approved an additional expenditure of \$60,000.00 and the issuance of additional debentures by The Regional Municipality of Hamilton-Wentworth in the amount of \$60,000.00;

AND WHEREAS the Ontario Municipal Board by Order dated the 13th day of December, 1978 approved an additional expenditure of \$72,000.00;

AND WHEREAS the Ontario Municipal Board by Order dated the 11th day of October, 1979 approved an additional expenditure of \$90,000.00 and the issuance of additional debentures by The Regional Municipality of Hamilton-Wentworth in the amount of \$90,000.00.

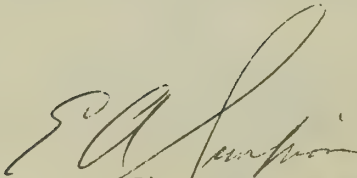
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

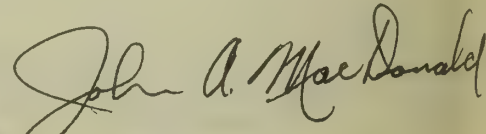
1. Section 1 of By-law No. 77-156, passed on the 1st day of June, 1977, as amended by section 1 of By-law No. 78-17, passed on the 31st day of January, 1978, section 1 of By-law No. 78-264, passed on the 10th day of October, 1978 and section 1 of By-law No. 79-32, passed on the 30th day of January, 1979, is further amended by striking out "\$1,687,000.00" in the third line and substituting in lieu thereof "\$1,777,000.00".

2. Section 2 of By-law No. 78-264 is amended by striking out "77-155" in the first line and substituting in lieu thereof "77-156".

3. Section 2 of By-law No. 77-156, as amended by section 2 of By-law No. 78-264, is further amended by striking out "\$1,560,000.00" in the third line and substituting in lieu thereof "\$1,650,000.00".

PASSED this 13th day of November A.D. 1979.


City Clerk


Mayor



(1979) 41 R.B.C. 14, September 11
Legal File No. 120-1.182.1
(Part 3, section 5)

The Corporation of the City of Hamilton

BY-LAW NO. 79- 312

To Authorize:

An Additional Expenditure of \$510,000.00

Respecting:

THE MAIN PUBLIC LIBRARY

WHEREAS the Ontario Municipal Board by Order dated the 4th day of April, 1977 (File No. E 762270) approved,

- (a) the construction of the Main Hamilton Public Library Building on the south side of Merrick Street in the Lloyd D. Jackson Square at an estimated cost of \$8,259,000.00 and the borrowing of money therefor; and
- (b) the issuance of debentures in the sum of \$8,259,000.00 by The Regional Municipality of Hamilton-Wentworth for a term of twenty years, chargeable to the applicant corporation;

AND WHEREAS the Ontario Municipal Board by Order dated the 29th day of December, 1977 approved an additional expenditure of \$676,000.00;

AND WHEREAS the Ontario Municipal Board by Order dated the 19th day of September, 1978 approved an additional expenditure of \$690,000.00 and the issuance of additional debentures by The Regional Municipality of Hamilton-Wentworth in the amount of \$690,000.00;

AND WHEREAS the Ontario Municipal Board by Order dated the 13th day of December, 1978 approved an additional expenditure of \$400,000.00;

AND WHEREAS the Ontario Municipal Board by Order dated the 11th day of October, 1979 approved an additional expenditure of \$510,000.00 and the issuance of debentures by The Regional Municipality of Hamilton-Wentworth in the amount of \$510,000.00.

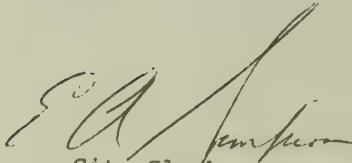
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

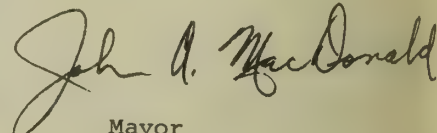
1. Section 1 of By-law No. 77-155, passed on the 1st day of June, 1977, as amended by section 1 of By-law No. 78-16, passed on the 31st day of January, 1978, section 1 of By-law No. 78-263, passed on the 10th day of October, 1978 and section 1 of By-law No. 79-31, passed on the 30th day of January, 1979, is further amended by striking out "\$10,025,000.00" in the third line and substituting in lieu thereof "\$10,535,000.00".

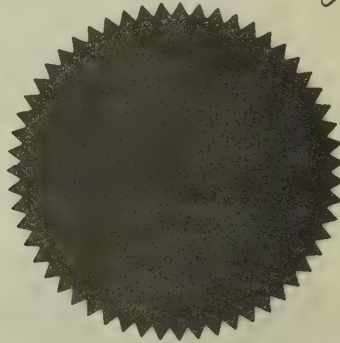
2. Section 2 of By-law No. 77-155, as amended by section 2 of By-law No. 78-263, is further amended by striking out "\$8,949,000.00" in the third line and substituting in lieu thereof "\$9,459,000.00".

PASSED this 13th day of November

A.D. 1979.


City Clerk


Mayor



(1979) 41 R.B.C. 14, September 11
Legal File No. 120-1.182.1,
(Part 2, section 6)

The Corporation of the City of Hamilton

BY-LAW NO. 79- 313

To Amend:

By-law No. 71-23

Respecting:

PUBLIC UTILITY MOTORIZED SNOW VEHICLES

WHEREAS By-law No. 71-23 was enacted under the authority of subsection 1 of section 6 of The Motorized Snow Vehicles Act, 1968, now subsection 2 of section 6 of The Motorized Snow Vehicles Act, 1974;

AND WHEREAS subsection 2 of section 6 of the said Act provides that the council of a city may pass by-laws regulating, governing or prohibiting the operation of motorized snow vehicles within the municipality including any highway therein or any part thereof, except a highway not under the jurisdiction of the city;

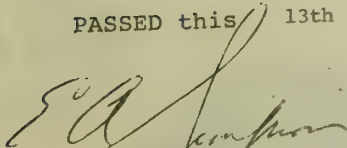
AND WHEREAS it is desirable to exempt public utility vehicles.

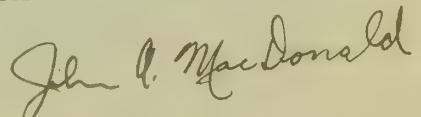
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause (h) of section 1 of By-law No. 71-23 is repealed.
2. Section 1 of the said By-law is amended by adding thereto the following clause:
 - (i) "public utility" has the same meaning as in The Public Utilities Act.
3. Section 3 of the said By-law is amended by adding thereto the following clause:
 - (c) owned by a public utility or engaged in works by or on behalf of the public utility and clearly identified as being operated by or on behalf of the public utility.

PASSED this 13th day of November

A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79- 314

To Amend:

Municipal Tax Levy By-law No. 71-69

Respecting:

RATE OF INTEREST FOR OVERDUE TAXES

WHEREAS By-law No. 71-69 was passed on the 9th day of March, 1971, under Part XXV of The Municipal Act, R.S.O. 1970, Chapter 284 respecting municipal taxes;

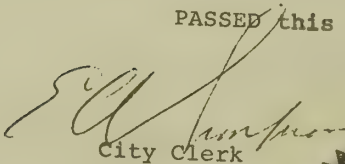
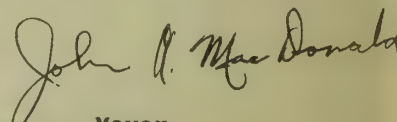
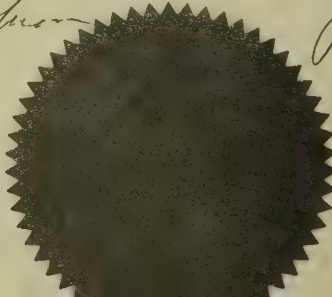
AND WHEREAS it is desirable to establish a new rate of 1 1/4% per month for overdue taxes as at January 1, 1980, in lieu of the existing rate of 1% per month, in accordance with sections 527 and 553 of The Municipal Act, R.S.O. 1970, Chapter 284, as amended respectively by sections 13 and 14 of The Municipal Amendment Act, 1979, Chapter 63.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 12 of By-law No. 71-69, as amended by section 1 of By-law No. 72-28, passed on the 25th day of January, 1972, is further amended by striking out "one per cent" in the third line and inserting in lieu thereof "one and one quarter per cent".
2. Section 13 of By-law No. 71-69 is amended by striking out "one per cent" in the third line and inserting in lieu thereof "one and one quarter per cent".
3. Section 15 of By-law No. 71-69, as amended by section 2 of By-law No. 72-28, is further amended by striking out "one per cent" in the second line and inserting in lieu thereof "one and one quarter per cent".
4. Section 16 of By-law No. 71-69 is amended by striking out "one per cent" in the second line and inserting in lieu thereof "one and one quarter per cent".
5. This by-law comes into force on the 1st day of January, 1980.

PASSED this 13th day of November

A.D. 1979.


City Clerk
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79- 315

To Amend:

By-law No. 73-342

Respecting:

APPLICATIONS FOR TAXI-CAB LICENCES

WHEREAS By-law No. 73-342, passed on the 18th day of December, 1973 and in force on the 1st day of January, 1974, provides in schedule 4 for the licensing, regulating and governing of owners and drivers of taxi-cabs and for limiting the number of cabs or classes thereof, pursuant to paragraph 1 of section 377 of The Municipal Act, R.S.O. 1970, Chapter 284;

AND WHEREAS it is desirable to provide in the by-law for a list of applicants eligible for a taxi-cab owner's licence based on the date of the application and to establish regulations in relation thereto.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2 of schedule 4 of By-law No. 73-342 is amended by adding thereto the following subsection:

(4) Notwithstanding any provision of this by-law, not more than the number of licences for public taxi-cabs in column 2 and not more than the total number of licences for private cabs in column 3 shall be issued for the corresponding year referred to in column 1 of Appendix "A" to this schedule.

2. Schedule 4 of By-law No. 73-342 is amended by adding thereto the following sections:

Taxi-Cab Priority List Application

4a. (1) Except as provided in subsection 2, where an application has been made by an individual for an owner's licence that is not a renewal of a licence, and the applicant otherwise complies with this by-law, his name and address shall, upon approval of the application, be entered on a list entitled "Taxi-cab Priority List" in the order of prior application date.

(2) No applicant's name shall be entered more than once on the Taxi-cab Priority List.

(3) No applicant's name shall be entered on the Taxi-cab Priority List that is not an individual.

(4) Subject to subsection 1, every applicant whose name is added to the Taxi-cab Priority List shall be issued a licence in order of prior application date, but no new licences shall be issued that result in exceeding the total number of licences permitted to be issued under subsection 4 of section 2.

(5) The Taxi-cab Priority List shall be made available by the Licence Administrator to any individual requesting a copy and shall be marked subject to revision by the Licence Committee.

(6) Notwithstanding subsection 1, the Licence Committee may,

(a) delete names of applicants; or

(b) add names of applicants in order of the prior date of application,

from the Taxi-cab Priority List.

(7) Where an owner's licence has been issued to an individual by the City, his name under the application date respecting which the licence was issued, shall be deleted from the list and upon deletion, any application for an additional licence shall be made in accordance with subsection 1.

(8) Where an applicant's name has been entered upon the Taxi-cab Priority List he shall lodge with the Licence Administrator proof of compliance with clauses (a) and (b) of section 6 and subsection 1 or 2 of section 10 of this schedule, within 30 days of notification by the Licence Administrator that an owner's licence may be issued to the applicant.

(9) Where the applicant does not comply with subsection 8, his name shall be deleted from the Taxi-cab Priority List and no licence shall be issued to the applicant.

4b. Notwithstanding any other provision of this by-law no application shall be approved unless the applicant for a licence not previously issued or renewed to the applicant complies with all of the following regulations:

1. The applicant shall lodge with the Licence Committee within 14 days of the date of a notice by the Licence Administrator and prior to consideration of the application by the Licence Committee,

11/13/79

(a) a statutory declaration declaring,

(i) that he has been actually engaged in operating a taxi-cab full time in the City as an owner or driver or dispatcher for a period of at least two consecutive years immediately prior to the date of consideration of the application by the Licence Committee;

(ii) that he has not granted, assigned, conveyed, transferred or otherwise passed on by sale, lease, gift or otherwise the use or possession of any other licence issued to him under this schedule for a period of at least two consecutive years immediately prior to the date of consideration of the application by the Licence Committee;

(b) either a statement of earnings on Revenue Canada Form T4 or a certified true copy by Revenue Canada of income tax returns for two consecutive years prior to the date of consideration of the application by the Licence Committee.

2. Where the applicant has purchased, leased or otherwise acquired a motor vehicle and equipment for use as a taxi-cab or a taxi-cab and equipment, the applicant shall declare in the statutory declaration referred to in paragraph 1, all the financial details and arrangements with any other person of the purchase, lease or other acquisition.

Transfer of Taxi-cab Licence

5a. Where an applicant is not the holder of a licence as a taxi-cab owner under this schedule, a licence issued to the applicant shall not be approved for transfer or transferred for a period of at least five consecutive years from the date of issue of the licence to the applicant.

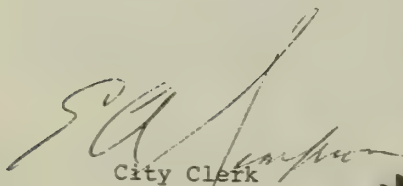
5b. Where the applicant is the holder of one or more licences as a taxi-cab owner under this schedule, and one or more additional licences are subsequently issued to the applicant under this schedule in addition to any licence previously issued to him, any previously issued licence shall not be approved for transfer or transferred until the same number of subsequently issued licences are surrendered to the Licence Committee for cancellation.

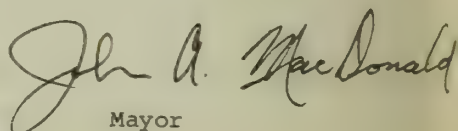
Taxi-cab Licensees

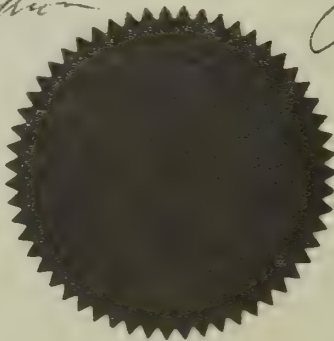
5c. No licensee who is the holder of a licence as a taxi-cab owner shall enter into any written or oral agreement, directly or indirectly, permitting or acquiescing in the operation of the taxi-cab for which the licence was issued, by any other person.

3. Appendix "A" is hereto annexed.

PASSED this 13th day of November A.D. 1979.


City Clerk


Mayor



APPENDIX "A"

To Schedule 4

Year (Col. 1)	Total No. of Licences Public Taxi-cabs (Col. 2)	Total No. of Licences Private Taxi-cabs (Col. 3)
1.	1979	9
2.	1980	224
3.	1981	227
4.	1982	230
5.	1983	233
		236

BY-LAW No. 79- 316

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 13TH DAY OF NOVEMBER A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

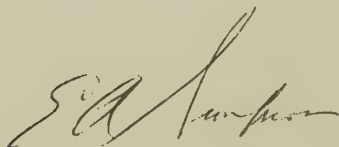
AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

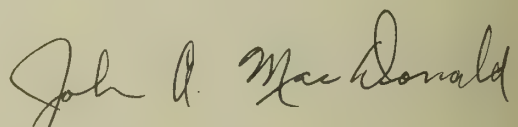
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 13th day of November A.D., 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 317

To Repeal:

By-law No. 78-93

Respecting:

LAND LOCATED IN THE AREA BOUNDED BY OTTAWA STREET,
BEACH ROAD, WOODLEIGH AVENUE AND THE C.N.R.:

WHEREAS By-law No. 78-93, passed on the 28th day of March, 1978, provided for a change in zoning from "H" (Community Shopping and Commercial, etc.) district and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "K" (Heavy Industry, etc.) district of land in the area bounded by Ottawa Street, Beach Road, Woodleigh Avenue and the Canadian National Railway;

AND WHEREAS the Ontario Municipal Board, (File No. R 781534), at its hearing held on April 24 and 25, 1979 did not approve the said By-law for the following reasons:

1. An industrial zoning was suitable for the subject lands, but some uses in the "K" (Heavy Industry, etc.) District were not appropriate - e.g. slaughterhouse, glue factory, a plant for rock crushing.
2. The By-law was not specific enough to provide adequate protection for residential uses to the east.
3. The By-law was "premature" until a development proposal was made.

AND WHEREAS it is desirable to repeal By-law No. 78-93.

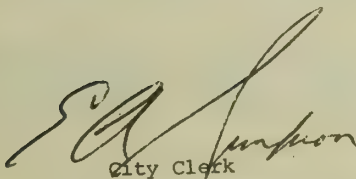
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

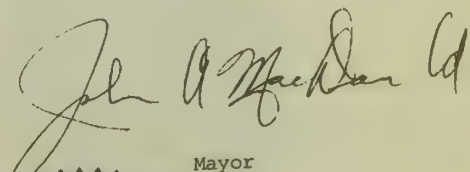
1. By-law No. 78-93 is repealed.

READ A FIRST TIME on this 28th day of August, A.D. 1979.

READ A SECOND AND THIRD TIME AND FINALLY PASSED this

27th day of November A.D., 1979.


City Clerk


Mayor

(1979) 27 R.P.D.C. 6, August 28
C.I. 78-B
Legal File No. 40-5.1288



The Corporation of the City of Hamilton

BY-LAW NO. 79 - 318

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE BLOCK BOUNDED BY OTTAWA STREET NORTH,
BEACH ROAD, WOODLEIGH AVENUE AND THE CANADIAN NATIONAL RAILWAY

WHEREAS it is intended to change the zoning of the
land hereinafter referred to and to establish special re-
quirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the
Official Plan of the Hamilton Planning Area, approved by the
Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the
City of Hamilton enacts as follows:

1. Sheet No. E-52 of the District Maps, appended to
and forming part of By-law No. 6593, passed on the 25th day
of July, 1950, is amended,

- (a) by changing from "H" (Community Shopping
and Commercial, etc.) district and "D"
(Urban Protected Residential - One and
Two Family Dwellings, etc.) district to
"J" (Light and Limited Heavy Industry,
etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto
annexed as schedule "A".

2. The "J" District provisions applicable to the land
referred to in section 1 are amended to the extent only of
the following variances as special requirements:

1. Notwithstanding section 16(1) of By-law
No. 6593, truck storage accessory to
the manufacture of metal products shall
be permitted.
2. A landscaped area not less than 15 metres
in width shall be provided and maintained
as a berm abutting all of the easterly
limit of the land.

3. A car parking area or a landscaped area not less than 45 metres in width shall be provided and maintained abutting all of the westerly limit of the required landscaped berm.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "J" District provisions subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-670".

5. Sheet No. E-52 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-670".

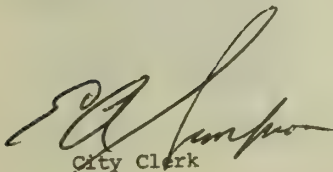
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

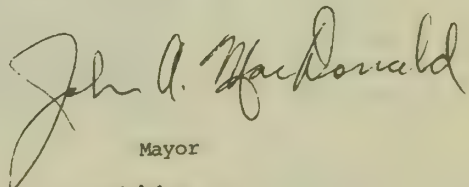
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

READ A FIRST TIME on this 28th day of August, A.D., 1979

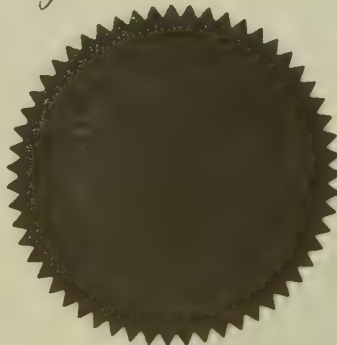
READ A SECOND AND THIRD TIME AND FINALLY PASSED this 27th

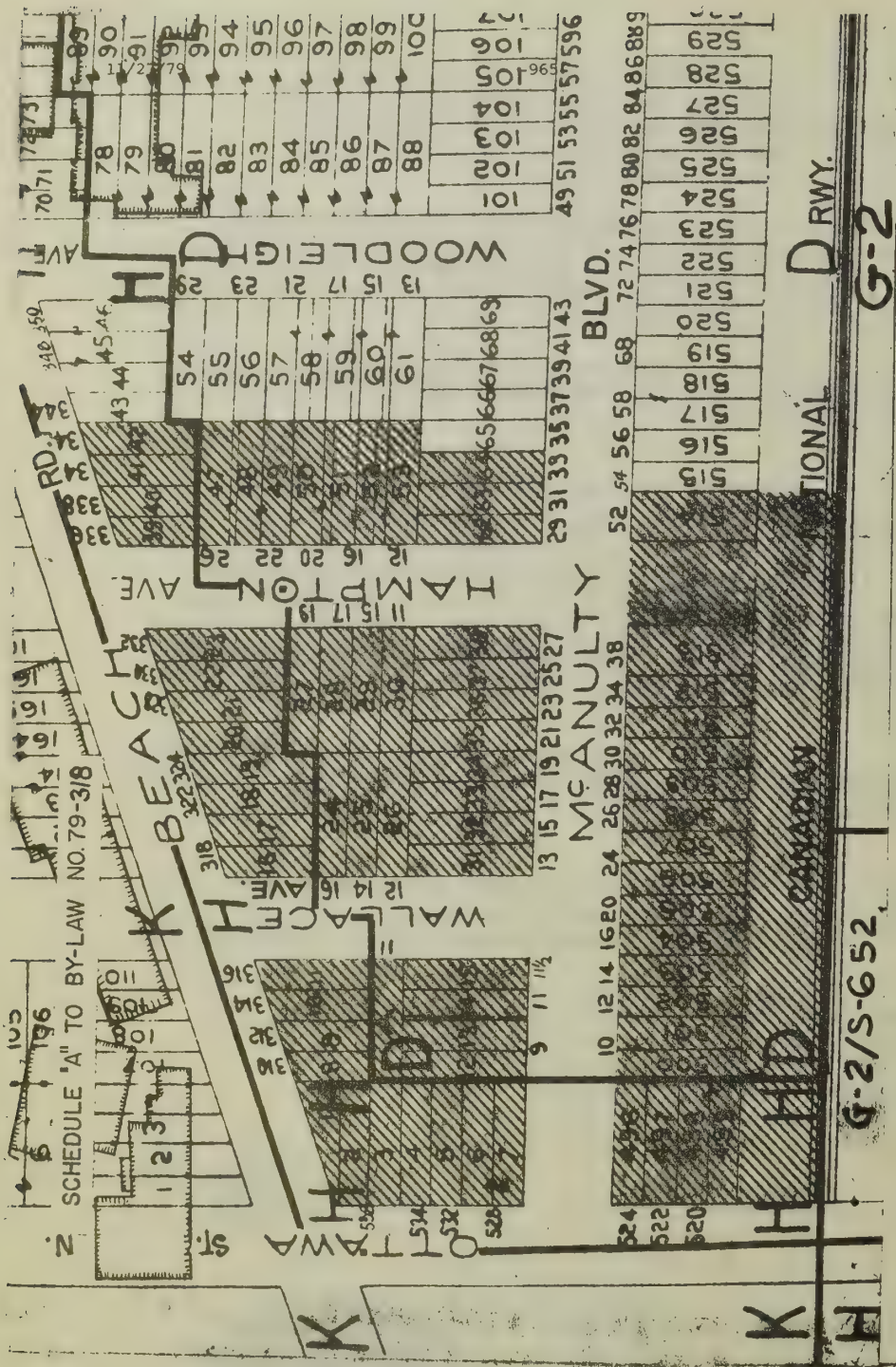
day of November A.D., 1979.


City Clerk


Mayor

(1979) 27 R.P.D.C. 7, August 28
City Initiative 79-S





This is Schedule "A" to By-law No. 79 - 318. READ A FIRST TIME the 28th. day of August, 1979
 READ A SECOND AND THIRD TIME AND FINALLY PASSED the 27th day of November, A.D., 1979.

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
 City Clerk

[Signature]
 Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79-319

To Amend:

Cemeteries By-law No. 8861

Respecting:

REVISED TARIFF OF CHARGES

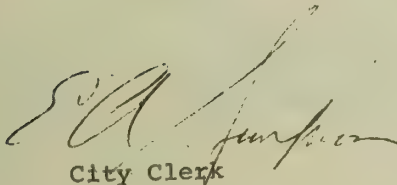
WHEREAS By-law No. 8861, passed on the 12th day of January, 1960, in accordance with The Cemeteries Act, established a tariff of charges;

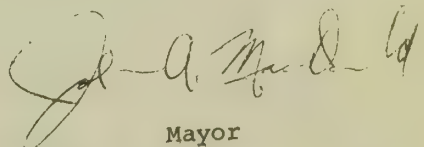
AND WHEREAS it is desirable to revise the tariff of charges.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 8861, as amended by By-laws Nos. 74-303, 76-187, 76-337, 77-292, 78-276 and 79-17, is further amended by deleting schedule "B-1978" and substituting in lieu thereof schedule "A-1979" hereto annexed.
2. The Director of Cemeteries is hereby authorized and directed to make application to the Minister of Consumer and Commercial Relations, Cemeteries Branch, for approval of this By-law.
3. This By-law comes into force on the 2nd day of January, 1980.

PASSED this 27th day of November A.D. 1979.


City Clerk


Mayor



SCHEDULE "A-1979"

To By-law No. 79- 319

HAMILTON MUNICIPAL CEMETERIES
TARIFF OF CHARGES

1980

(Cemeteries By-law No. 8861)

	Resident and Non-Resident Realty Taxpayers		Non-Residents
<u>OPENING</u>			
6 ft. adult, including dressing and device			
<u>Dressing</u>	<u>Device</u>	<u>Labour</u>	
\$16.00	\$13.00	\$126.00	
	155.00		182.00
8 ft. adult, including dressing and device.....	212.00		235.00
6 ft. child, including dressing and device; case up to 60".....	106.00		152.00
Including dressing only.....	93.00		139.00
Without dressing and device.....	77.00		123.00
6 ft. child, including dressing and device; case 60" to 72".....	118.00		171.00
Including dressing only.....	105.00		158.00
Without dressing and device.....	89.00		142.00
8 ft. child, including dressing and device; case up to 60".....	118.00		171.00
Including dressing only.....	105.00		158.00
Without dressing and device.....	89.00		142.00
8 ft. child, including dressing and device; case 60" to 72".....	131.00		191.00
Including dressing only.....	118.00		178.00
Without dressing and device.....	102.00		162.00
NOTE: Lowering device is not used if case is less than or equal to 42".			
Cremation.....	52.00		74.00
Tent.....	66.00		102.00
<u>Single Graves in a Row</u>			
6 ft. adult, including dressing and device (Grave 150.00, Burial 155.00).....	305.00		
(Grave 185.00, Burial 182.00).....			367.00
8 ft. adult, including dressing and device (Grave 150.00, Burial 212.00).....	362.00		
(Grave 185.00, Burial 235.00).....			420.00
Child, case up to 60"(opening charges not included)	36.00		46.00
Child, case 60" to 72"(" " " ")	54.00		70.00
Child Special - up to one month old (Grave 15.00, Burial 18.00).....	33.00		
(Grave 17.00, Burial 28.00).....			45.00
Welfare (Grave 108.00, Burial 155.00).....	263.00		
Veteran's Grave (Grave 150.00, Burial 155.00).....	305.00		
Opening Charges (New Crypts Only) Mansion of Memories (Stoney Creek Mausoleum)	128.00		151.00
Note: Thirty-five per cent of all lot sales go into Perpetual Care.			

- 2 -

	Resident and Non-Resident Realty Taxpayers	Non-Residents
<u>LOWERING (Opening charges not included)</u>		
Adult		
From 6 ft. to 8 ft. - shell.....	107.00	162.00
From 6 ft. to 8 ft. - steel vault.....	207.00	312.00
From 6 ft. to 8 ft. - concrete vault or crypt	249.00	373.00
Child		
From 6 ft. to 8 ft. - 5 to 10 years.....	74.00	110.00
From 6 ft. to 8 ft. - under 5 years.....	35.00	53.00

REMOVALS

Adult		
From one lot to another (opening charges not included)		
Shell.....	207.00	311.00
Concrete vault or crypt.....	458.00	686.00
Child		
From one lot to another (opening charges not included)		
Shell.....	75.00	116.00
Concrete vault or crypt.....	143.00	212.00
Cremation.....	52.00	74.00

ADDITIONAL SERVICES

Tent in cemetery.....	66.00	102.00
Rental tent outside cemetery.....	70.00	102.00
Rental of dressing for use outside cemetery	55.00	86.00
Rental of lowering device outside cemetery.	55.00	86.00

PLANTING

Preparing ground and planting flowers per grave.....	15.00
Preparing ground and planting one shrub per grave.....	19.00

NOTE: Flowers and shrubs are to be provided by the family at their expense.

SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE

Adult Single Grave		
Where location may not be selected, but is allotted in sequence in the row and may not be purchased in advance of need.....	150.00	185.00
Child Single Grave		
Case up to 60".....	36.00	46.00
Case 60" to 72".....	54.00	70.00
Preferred Single Grave		
Where location may be selected and purchased in advance of need.....	250.00	310.00
Urn Garden.....	84.00	102.00
Veteran's Grave.....	142.00	
Welfare Grave.....	108.00	
Two Grave Lot.....	575.00	716.00
Two Grave Lot - Eastlawn, Sections 15, 16 & 17 (6 ft. burials only).....	470.00	585.00

- 3 -

	Resident and Non-Resident Realty <u>Taxpayers</u>	<u>Non-Residents</u>
<u>SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE</u>		
Continued...		
Three Grave Lot - Woodland.....	859.00	1,074.00
Four Grave Lot - Woodland Sections 21, 22 & 25 and Eastlawn Section 19.....	1,125.00	1,430.00
Four Grave Lot - Woodland Section 15.....	2,079.00	2,596.00
Mansion of Memories - Mausoleum Crypt.....	400.00	440.00
Child Special.....	15.00	17.00
<u>WOODEN SHELLS</u> - Surcharge.....	29.00	
<u>CRYPTS</u> - Standard.....	89.00	
Oversize.....	100.00	
Youth.....	82.00	

NOTE: Thirty-five per cent of all lot sales goes into Perpetual Care.
Total surcharge on wooden shell goes into Perpetual Care; no
surcharge on casket only.

FOUNDATIONS AND MARKERS - REGULATIONS

Preferred Singles

Only a flat marker 24" in length, 18" in width and 4" in thickness is permitted.

Single Graves in a Row

A flat granite marker 24" in length, 18" in width and 4" in thickness is permitted, or smaller.

Urn Garden Section

Only a flat marker 12" in length, and 10" in width is permitted.

Childrens Section

Only a flat marker 18" in length and 14" in width is permitted.

Two Grave Lot Section

Upright monument is allowed, maximum length of base must not exceed 3'2".
Maximum width must not exceed 1'2". All bases must be at least 6" in height.
The total over-all height of any memorial must not exceed 4'. All memorial
bases must have a projection of at least 3" from the edge of the die or cross
on all sides.

Three and Four Grave Lot Section

Maximum base area not to exceed 10% of lot area. Total over-all height to be
governed by base size for appearance and balance. All memorial bases must have
a projection of at least 3" from the edge of the die or cross on all sides.

NOTE: These regulations have been included as they often determine the choice of
lot or grave.

- 4 -

Resident and Non-Resident Realty Taxpayers	Non-Residents
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FOUNDATIONS AND MARKERS

For construction of foundation six feet deep for upright monument - per square inch of surface....	.35	.54
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For setting a flat marker (not larger than 18" wide, 24" long). Thickness 4" minimum and 8" maximum.....	43.00	66.00
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D.V.A. Upright.....	37.00	
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D.V.A. Flat.....	37.00	
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Bronze Vase.....	43.00	66.00
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Welfare Marker -\$43.00 Plus \$14.00 into Perpetual Care.....	57.00	
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Veteran's Upright Crosses.....	No charge	
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Preferred Singles
Only a flat marker 24" in length, 18" in width and 4" in thickness is permitted.

Single Graves in a Row
A flat granite marker 24" in length, 18" in width and 4" in thickness is permitted, or smaller.

Urn Garden Section
Only a flat marker 12" in length, and 10" in width is permitted.

Childrens Section
Only a flat marker 18" in length, and 14" in width is permitted.

Two Grave Lot Section
Upright monument is allowed, maximum length of base must not exceed 3'2". Maximum width must not exceed 1'2". All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4'. All memorial bases must have a projection of at least 3" from the edge of the die or cross on all sides.

Three and Four Grave Lot Section
Maximum base area not to exceed 10% of lot area. Total over-all height to be governed by base size for appearance and balance. All memorial bases must have a projection of at least 3" from the edge of the die or cross on all sides.

The Corporation of the City of Hamilton

BY-LAW NO. 79- 320

To Amend:

Subdivision Control By-law No. 9375

Respecting:

REGISTERED PLANS NOS. 447 and 460

WHEREAS By-law No. 9375, passed on the 27th day of June, 1961, in accordance with subsection 2 of section 26 of The Planning Act, R.S.O. 1960, as amended by section 1(1) of The Planning Amendment Act 1961-62, (now The Planning Act, R.S.O. 1970, Chapter 349, section 29(3)), provided in schedule 2 for the designation of plans of subdivision or part thereof registered for eight years or more to be deemed not to be registered plans of subdivision;

AND WHEREAS Registered Plans of Subdivision Nos. 447 and 460 were registered in 1909 and 1910 respectively;

AND WHEREAS the roads established by the said plans were closed by Judge's Orders;

AND WHEREAS the major part of the lands located at the north-west corner of Garth Street and Scenic Drive have been incorporated into a new plan of subdivision approved by the City of Hamilton, entitled "Chedoke Ravine Estates", which supersedes Registered Plans Nos. 447 and 460;

AND WHEREAS it is desirable to deem Registered Plans Nos. 447 and 460 not to be registered plans of subdivision.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

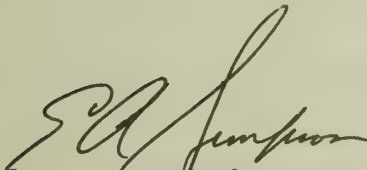
1. (1) Schedule 3 of By-law No. 9375 is amended by deleting therefrom "(2) Chedoke Park Survey, registered as Plan No. 447".
- (2) Schedule 2 of the said By-law is amended by adding thereto "(82) Chedoke Park Survey, registered as Plan No. 447" and "(83) Chedoke Park Survey (Resubdivision), registered as Plan No. 460".

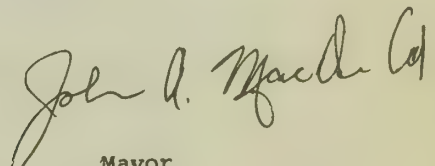
11/27/79

2. The City Clerk is hereby authorized and directed to,

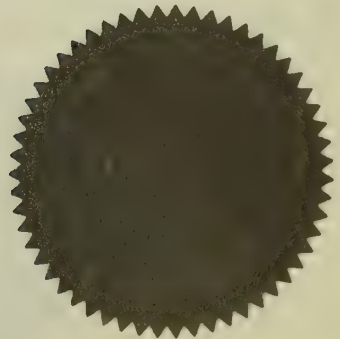
- (a) lodge a copy of this by-law with the Minister; and
- (b) register a certified or duplicate copy of this by-law in the proper registry office;
- (c) send by registered mail notice of the passing of this by-law to each person appearing by the last revised assessment roll to be the owner of land to which this by-law applies, which notice shall be sent to the last known address of each such person.

PASSED this 27th day of November A.D. 1979.


City Clerk


Mayor

(1979) 34 R.P.D.C. 7, October 9
City Initiative
SA 74-31



The Corporation of the City of Hamilton

BY-LAW NO. 79-321

To Expropriate Land for Roadway and Municipal Purposes

As paragraph one of Section 336 of The Municipal Act, R.S.O. 1970, Chapter 284 empowers the Council of The Corporation of the City of Hamilton to expropriate lands for municipal purposes;

And as pursuant to The Expropriations Act, R.S.O. 1970, Chapter 154, The Corporation of the City of Hamilton as an expropriating authority did apply to the Council of The Corporation of the City of Hamilton, the approving authority, for approval to expropriate the lands described in Schedule A attached hereto for roadway and municipal purposes;

And as Notice of the said Application for Approval to Expropriate has been served and has been published in the newspaper pursuant to the said Expropriations Act;

And as no Inquiry Hearing was requested;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. As approving authority, the application of The Corporation of the City of Hamilton for approval to expropriate the land described in Schedule "A" be and is hereby granted;
2. As expropriating authority, that The Corporation of the City of Hamilton does hereby expropriate the lands described in Schedule "A" for roadway and municipal purposes;
3. That the Mayor, the City Clerk and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this by-law.

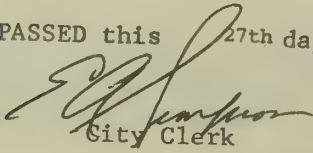
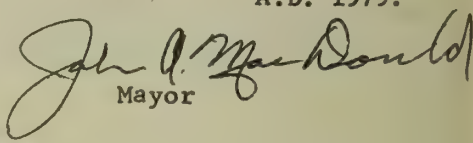
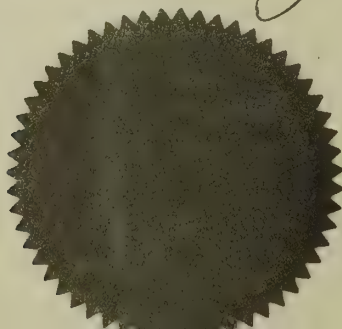
Schedule "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 5, Concession 7, Geographic Township of Barton and which said parcel may be more particularly described as all of Part Two (2) according to a Reference Plan received and deposited in the Land Registry Office for the Registry Division of Wentworth on March 8th, 1979, as Plan 62R-4703.

PASSED this 27th day of

November

A.D. 1979.


City Clerk
Mayor

BY-LAW NO. 79 - 322

TO CLOSE AND RETAIN BIRCHMOUNT ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 443 of The Municipal Act, R.S.O. 1970, Chapter 284 to stop-up and sell any highway or part of a highway.

AND WHEREAS it is deemed expedient to stop-up and retain portions of the highway described herein.

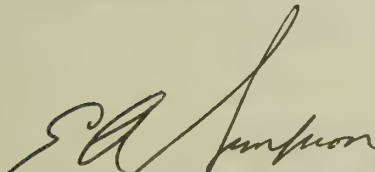
AND WHEREAS Notice of this By-law has been published as required by Section 446 of the said The Municipal Act.

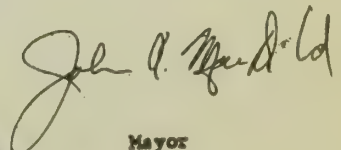
AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Traffic & Engineering Committee, has heard all persons who applied to be heard, no matter whether in objection to, or in support of this By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portions of the highway described in Schedule "A" are hereby stopped-up.

PASSED this 27th day of November A.D. 1979.


City Clerk


Mayor



SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 4, Concession 7, Township of Barton and which said parcel may be more particularly described as all of Part 2 according to a Reference Plan received and deposited in the Land Registry Office for the Registry Division of Wentworth on May 17th, 1978 as Plan 62R-4187.

The Corporation of the City of Hamilton

BY-LAW NO. 79 - 323

A By-law to Consolidate

Licensing By-laws Nos. 73-342, 10467 and 10468

1. (1) In this by-law,
- (a) "Board" means the Hamilton-Wentworth Regional Board of Commissioners of Police;
 - (b) "Chief Constable" means the chief constable of the Hamilton-Wentworth Regional Police Force;
 - (c) "City" means The Corporation of the City of Hamilton;
 - (d) "City Council" means the council of The Corporation of the City of Hamilton;
 - (e) "City Treasurer" means the treasurer of the City;
 - (f) "Chief Licence Inspector" means the Chief Licence Inspector of the City;
 - (g) "Issuer of Licences" means the Licence Administrator authorized to provide licences issued, renewed or transferred by the Licence Committee;
 - (ga) "Licence Administrator" means the official appointed by council to administer this by-law;
 - (h) "Licence Committee" means the licensing committee established under By-law No. 78-224;
 - (ha) "public interest" includes,
 - (i) promotion or advancement of the good of the inhabitants of the City or any part thereof; or

- (ii) avoidance of things, occasions, occurrences or opportunities hurtful to the comfort or interest of the inhabitants of the City or any part thereof,

but does not include circumstances of mere convenience, whim or caprice;

- (i) "Secretary" means the secretary of the Licence Committee. By-laws Nos. 74-104, S.1; 79-267,

(2) Except where otherwise provided, the provisions of this by-law apply to the engaging in or carrying on, in the City of Hamilton, of any of the trades, businesses or occupations regulated by this by-law. By-law No. 73-342, S.1(2).

2. (1) Subject to the powers, duties, authorizations, directions and requirements of the Licence Committee,

- (a) administration of this by-law shall be by the Licence Administrator;
- (b) enforcement of this by-law shall be by the Chief Licence Inspector and Licence Inspector. By-laws Nos. 74-104, S.1; 78-34, S.2.

(2) In addition to enforcement of this by-law under clause (b) of subsection 1, police constables are charged with enforcing this by-law in accordance with section 55 of The Police Act, R.S.O. 1970, Chapter 351. By-law No. 78-104, S.2.

3. (1) Every application shall be in writing and shall show,

- (a) the particular class of licence applied for; and
- (b) the name and address of the applicant; and
- (c) any other information as may be required by the provisions of each of the Schedules.

By-law No. 73-342, S.5(1)

(2) The application shall be delivered by the applicant to the Issuer of Licences. By-law No. 73-342, S.5(1).

(3) No application shall be received from any person who has been refused a similar licence within the previous three months. By-laws Nos. 10468, S.5; 73-283, S.1.

(4) Except as provided in Schedule 34, where an applicant was the holder of a similar licence under this by-law for the previous year and there is no change of information, the applicant need not comply with subsection 2 unless requested by the Licence Committee. By-law No. 73-342, S.5(2).

(5) Where any premises is to be used for a purpose requiring authorization by licence, the application shall include a sufficient description of such premises or of the part to be authorized to be so used, and a separate application shall be made with respect to each separate premises to be so used. By-law No. 73-342, S.5(3).

(6) Where a motor vehicle is to be used for a purpose requiring authorization by licence, the application shall include a sufficient description of such vehicle, including the name of the manufacturer, the model and the serial number, and a separate application shall be made with respect to each vehicle to be so used. By-law No. 73-342, S.5(4).

(7) Where the business for which a licence is sought is carried on or to be carried on by two or more persons in partnership, the names and addresses of all partners shall be set forth in the application. By-law No. 73-342, S.5(5).

4. (1) Upon receipt of an application and fees, the Chief Licence Inspector shall, without undue delay, obtain from the Chief Constable and forward to the Issuer of Licences for the information and convenience of the Licence Committee in its consideration of the application, a report of all readily ascertainable facts relating to the question of the character and fitness of the applicant to be a holder of the kind of class of licence applied for. By-law No. 73-342, S.6(1).

(2) Where any motor vehicle is to be used for a purpose requiring authorization by licence, the report shall include the results of an examination of the same as to its fitness or otherwise, and whether the applicant is the registered owner. By-law No. 73-342, S.6(2).

5. (1) Upon receipt of a licence application and fees, and before renewal of a licence or transfer of a licence, the Licence Committee may cause to be made all such investigations as it requires and shall consider the results of the investigations before determining whether or not the licence should be issued, renewed or approved for transfer. By-law No. 79-267, S.2.

(2) If the investigation does not disclose any reason to believe that,

- (a) the applicant's character may not be good; or
- (b) the carrying on of the trade, calling, business or occupation may result or will result,
 - (i) in a breach of the law or any other by-law of the City; or
 - (ii) in a breach of this by-law or any schedule thereof;
- (c) the trade, calling, business or occupation may be contrary to the public interest,

the Licence Committee may, subject to subsection 5, approve the application, renewal or transfer. By-law No. 79-267, S.2.

(3) If the investigation discloses any reason to believe that,

- (a) the applicant's character may not be good; or
- (b) the carrying on of the trade, calling, business or occupation may result or will result,
 - (i) in a breach of the law or any other by-law of the City; or
 - (ii) in a breach of this by-law or any schedule thereof;
- (c) the trade, calling, business or occupation may be contrary to the public interest,

the Licence Committee shall not issue a licence. By-law No. 79-267, S.2.

(4) The Licence Committee shall, in considering the application for a licence, or a renewal of a licence, or a transfer of a licence, take into account the following:

1. The character of the applicant.
2. Whether the carrying on of the trade, calling, business or occupation may result or will result,
 - (a) in a breach of the law or any other by-law of the City; or
 - (b) in a breach of this by-law or any schedule thereof.
3. Whether the carrying on of the trade, calling, business or occupation by the applicant may be contrary to the public interest.
4. Any other matter relating to the carrying on of a trade, calling, business or occupation that the Licence Committee requires to be considered. By-law No. 79-267, S.2.

(5) Every applicant shall, to the satisfaction of the Licence Committee, comply with all prior requirements of the applicable schedule, before an application is approved.

(6) No licence shall be issued where the applicant does not comply with the prior requirements of the applicable schedule.

6. (1) The licences for the several trades, callings, businesses or occupations set out in the Schedules to this by-law, unless they are expressed to be for a shorter time, are for one calendar year. By-law No. 73-342, S.3.

(2) Unless the licences referred to in subsection 1 are sooner revoked or suspended or unless otherwise provided in a Schedule, they shall, in each case, expire on the 31st day of December in each year.

(3) Every licence fee shall be paid for the whole of the calendar year for which the licence is issued.

(4) Except as otherwise provided, the amount of the licence fee fixed in a Schedule for issue of a licence shall be the fee payable for renewal or transfer of the licence and shall be payable before issue, renewal or transfer of the licence.

7. (1) The Issuer of Licences shall sign the licence certificate on behalf of the City. By-law No. 73-342, S.7(3).

(2) When the applicant has paid the amount of the licence fee, and subject to other provisions of this by-law, the Issuer of Licences shall deliver the licence certificate, any licence plate, or identification card which may be prescribed by this by-law. By-law No. 73-342, S.7(3).

(3) Every licence certificate, licence plate and identification card shall remain the property of the City. By-law No. 73-342, S.7(3).

8. (1) Every licence certificate shall be in such form as may from time to time be authorized by the Licence Committee and shall show on its face,

- (a) the kind or class or classes of licence granted;
- (b) the period for which it is granted, including the date of expiry;
- (c) whenever the licence authorizes the use of any premises or part or parts for the purpose of the licensed business or occupation, clear identification of such premises or part or parts, together with limitations, if any, to which such use is subject by law, whether as to the maximum number of persons who may be lawfully accommodated at any one time, or otherwise;
- (d) wherever the licence authorizes the use of a motor vehicle, clear identification of the motor vehicle. By-law No. 73-342, S.7(4).

(2) No licence certificate shall be valid until it is shown on the face of the certificate that the amount of the licence fee has been paid. By-law No. 73-342, S.7(4).

9. Where a business for which a licence is sought is carried on or to be carried on by two or more persons in partnership, the licence certificate may, by specific permission of the Licence Committee, be issued in the name of one partner only, but in all cases the names and addresses of all partners shall be shown on the certificate. By-law No. 73-342, S.7(5).

10. The Secretary shall attend all meetings of the Licence Committee and shall keep all necessary records and perform such other duties as may from time to time be required by the Licence Committee. By-law No. 73-342, S.8.

11. (1) Every licence is personal to the holder thereof, and no licence is transferable without the consent in writing of the Licence Committee. By-law No. 73-342, S.9(1).

(2) No licence authorizes the use of any premises or part, or of any vehicle, except that identified on the licence certificate. By-law No. 73-342, S.9(2).

12. (1) Where a licence authorizes the use of any premises or part, for any purpose for which a licence is required under this by-law, the current licensee shall,

(a) post up the licence certificate;

(b) keep the licence certificate posted up, in a position where it may readily be seen and read by persons entering the premises or part thereof. By-law No. 73-342, S.10.

(2) No licence which is not current shall be posted up or left posted up. By-law No. 73-342, S.10.

13. The licensee shall be responsible that the premises authorized to be used for the purposes of the licensed business are kept clean and orderly, and that every vehicle authorized to be used for the purpose of the licensed business is so used only when in a clean and safe condition. By-law No. 73-342, S.11.

14. The Chief Constable, a police constable, the Chief Licence Inspector and a Licence Inspector may at all reasonable times inspect any licensed premises or vehicle, and any records required by this by-law to be kept by the licensee, and the licensee shall be responsible that all reasonable assistance therefor is afforded by himself, his employees, servants and agents. By-law No. 78-34, S.3.

15.
licence,

The Licence Committee may suspend or revoke a

- (a) where the character of the licensee is such that it may,
 - (i) provide or provides or appears to provide an adverse reputation to the trade, calling, business or occupation;
 - (ii) result or results or appears to result in acts or omissions adverse to good trade, calling, business or occupation practices;
- (b) where the carrying on of the trade, calling, business or occupation by the licensee may result or results,
 - (a) in a breach of the law or any other by-law of the City; or
 - (b) in a breach of any provision of this by-law or any Schedule thereof;
- (c) where the carrying on of the trade, calling, business or occupation is contrary to the public interest;
- (d) where the licensee has been convicted of an offence under section 18. By-law No. 79-267, S.3.

16. No person required to be the holder of a contractor's licence under the provisions of this by-law shall allow any person to perform any work for which he requires a licence as master or journeyman, unless such person is either,

- (a) the holder of a licence as master or journeyman, entitling him so to do; or
- (b) is a bona fide apprentice working under the direct supervision of and in the

presence of a licensed master or journeyman as hereinafter in this by-law more particularly provided, or is a bona fide helper in a trade where helpers other than apprentices are permitted, and bearing an identification card issued by the building commissioner, and working under such supervision. By-law No. 10725, S.3.

The following Schedules,

- Schedule 1 - Auctioneers
- Schedule 2 - Barber Shops and Hairdressing Establishments
- Schedule 3 - Retail Butchers and Fish Mongers
- Schedule 4 - Cabs, Ambulances and Buses, etc.
- Schedule 5 - Cartage Businesses
- Schedule 6 - Drive-Self Rental Vehicles and Trucks
- Schedule 7 - Driving Schools and Instructors
- Schedule 8 - Eating Establishments
- Schedule 9 - Food Shops
- Schedule 10 - Fuel Dealers (REPEALED: By-law No. 79-164, S.1)
- Schedule 11 - Keepers of Livery Stables and of Horses Used For Hire (REPEALED: By-law No. 79-164, S.1)
- Schedule 12 - Non-Resident Produce Wholesalers
- Schedule 13 - Pedlars
- Schedule 14 - Street and Transient Photographers (REPEALED: By-law No. 79-164, S.1)

- Schedule 15 - Public Halls and Certain Places of Amusement
- Schedule 16 - Refreshment Vehicles (Restaurants -- see Eating Establishments)
- Schedule 17 - Salvage and Second-Hand Goods Businesses
- Schedule 18 - Shoe Shine Shops (REPEALED: By-law No. 79-164, S.1)
- Schedule 19 - Sign Posters and Bill Distributors etc.
- Schedule 20 - Tobacconists (REPEALED: By-law No. 79-164, S.1 - RE-ENACTED: By-law No. 79-248, S.1)
- Schedule 21 - Tourist Camps, Trailer Camps and Motels
- Schedule 22 - Transient Traders and Persons Commencing Business After Return of Assessment Roll
- Schedule 23 - Pet Shops
- Schedule 24 - Bake Shops
- Schedule 25 - Dry Cleaning Establishments, etc.
- Schedule 26 - Storage of Petroleum and Other Dangerous or Inflammable Substances
- Schedule 27 - Laundries and Laundreterias, etc.
- Schedule 28 - Lodging Houses
- Schedule 29 - Massagists
- Schedule 29.1- Milk Vendors (REPEALED: By-law No. 77-37, S.1)
- Schedule 30 - Pawnbrokers
- Schedule 31 - Public Baths
- Schedule 32 - Public Garages

- Schedule 33 - Persons Who Store, Transport or Use Explosive
- Schedule 34 - Building Repairs Contractors
- Schedule 35 - Drain and Septic Tank Installers and Repairers
- Schedule 36 - Electricians
- Schedule 37 - Heating Equipment Installers
- Schedule 38 - Plumbers
- Schedule 39 - Television Structure Installers
(REPEALED: By-law No. 79-240, S.1)
- Schedule 40 - Special Sales

appended hereto, form part of this by-law, and every person engaging in or carrying on any trade, business, calling or occupation for which he is required by the provisions of this by-law to hold a licence shall be responsible that all the provisions of this by-law regulating such trade, business, calling or occupation are complied with. By-law No. 73-342, S.14.

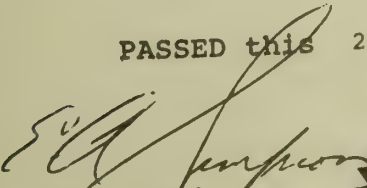
18. Every person who contravenes any provision of this by-law or Schedule is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.00, exclusive of costs. By-law No. 79-267, S.4.

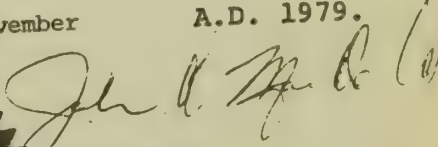
19. (1) Except as provided in Appendix "A", By-laws Nos. 73-342, 10467 and 10468 and amendments thereto listed in Appendix "B" are repealed.

(2) By-law No. 66-289, as amended by By-laws Nos. 71-316 and 76-321, is repealed.

20. The short title of this by-law is "The City of Hamilton Licensing Code, 1979".

PASSED this 27th day of November A.D. 1979.


City Clerk


Mayor

SCHEDULE 1

AUCTIONEERS

Licence Required

1. No person shall, in the City of Hamilton, carry on the business of an auctioneer or of selling or putting up for sale goods, wares, merchandise or effects by public auction, without a licence under this by-law entitling him so to do.

Duration of Licence

2. Save where otherwise specified in the licence certificate, the duration of the licence shall be the balance of the calendar year in which it was granted, unless sooner lawfully revoked.

Application of Schedule

3. The provisions of this Schedule do not apply to a sheriff or bailiff offering for sale goods or chattels seized under an execution or distrained for rent.

4. Every place of business of an auctioneer shall be in all respects suitable for the purpose.

Duties

5. (1) Except as provided in subsection 2, every auctioneer shall keep good order in his auction room and offices, shall not allow any gambling or other disorderly practice therein, shall keep proper books of account of the business transacted by him as an auctioneer, which books shall give the names and addresses of persons depositing goods with him for sale, the description of such goods, the names and addresses of the persons purchasing such goods, or any portion thereof, and at what price, and shall forthwith, after the sale of such goods or any

portion thereof, account for the proceeds and pay the same to the person or persons entitled to such proceeds, less his proper and legal commission and charges; and shall in the case of no sale of such goods, on payment of his proper costs and charges return such goods to the person or persons entitled to receive the same on proper demand being made therefor.

(2) Nothing in this section contained shall in any way affect or invalidate the claim of any auctioneer for goods warehoused with him, or on which he has made advances.

Where Overcrowding

6. No auctioneer shall conduct an auction sale upon any premises which are unsafe as regards danger from fire or risk of accident, or commence or continue any auction sale at any time while there is upon the premises a number of persons so great as to create a condition which may be or become unsafe as regards danger from fire or risk of accident.

7. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For auctioneers and other persons selling or putting up for sale, goods, wares, merchandise or effects by public auction\$50.00.

By-law No. 10467, S.2, para. 20

S C H E D U L E 2

BARBER SHOPS AND HAIRDRESSING ESTABLISHMENTS

Licence Required

1. No person shall, in the City of Hamilton, carry on the business of a barber shop or hairdressing establishment without a licence under this by-law entitling him so to do.

2. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For an owner of a barber shop or hairdressing establishment.....\$10.00.

By-law No. 75-335, S.1, Sched. A, para. 6

SCHEDULE 3

RETAIL BUTCHERS AND FISH MONGERS

Interpretation

1. In this Schedule,
 - (a) "retail butcher" means a person who sells fresh meat in quantities less than by the quarter carcass; and
 - (b) "fish monger" means a person who sells fresh fish.

Application of Schedule

2. Nothing in this Schedule affects the powers conferred upon the City Council by the provisions of The Municipal Act.

Licence Required

3. No person shall, in the City of Hamilton, sell fresh meat in quantities less than by the quarter carcass, or fresh fish, without a licence under this by-law, entitling him so to do.

Duration of Licence

4. The duration of the licence shall be the balance of the calendar year in which it was granted.

Sale of Horse Meat

5. No person shall, in the City of Hamilton, sell any fresh horse meat in quantities less than by the quarter carcass,
 - (a) without a licence under this by-law, specifying that it is for the sale of fresh horse meat;

- (b) except in premises authorized for the purpose, with signs displayed conspicuously both outside and inside bearing the words "Horse Meat Sold Here", in plain and legible letters at least six inches high; or
- (c) in any premises where any other fresh meat or poultry or product thereof is offered or exposed for sale.

6. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

- 1. For the sale of fresh meat in quantities less than by the quarter carcass.....\$25.00.
By-law No. 75-335, S.1, Sched. A, para. 8
- 2. For the sale of fresh fish where a licence fee under paragraph 1 is not paid....\$15.00.
By-law No. 10467, S.2, para. 22

S C H E D U L E 4

CABS, AMBULANCES AND BUSES, ETC.

(Owners, Drivers and Taxi-Cab Brokers)

Interpretation

In this Schedule,

1. (a) "regulated vehicle" includes any of the following vehicles:
 - (i) "ambulance" shall mean a vehicle used for hire for the conveyance of sick or injured persons;
 - (ii) "cab" within the meaning of that term as used in the licensing provisions of The Municipal Act;
 - (iii) "funeral hearse" shall mean a vehicle used for hire for the conveyance of dead bodies, except one operated solely by and for a funeral director in the course of his business as a funeral director;
 - (iv) "Hackney-Coach" shall mean a horse-drawn vehicle used for hire for the conveyance of persons;
 - (v) "interurban bus" shall mean a public vehicle within the meaning of The Public Vehicles Act, which takes on passengers within the limits of the City of Hamilton and discharges any such passengers within such limits;
 - (vi) "livery cab" shall mean a cab used for hire for the conveyance of persons, which is designated by the Board as a livery cab and is not required by the provisions of this by-law to be equipped with a taxi-meter;

- (vii) "local omnibus" or "jitney" shall mean a motor vehicle used for hire for the conveyance of persons, excepting a licensed cab or ambulance, or a public vehicle within the meaning of The Public Vehicles Act, and excepting also, a motor or other vehicle of The Hamilton Street Railway Company;
- (viii) "private cab" shall mean a cab which does not operate from a public cab stand assigned for that purpose by by-law of the City Council;
- (ix) "public cab" shall mean a cab which operates from a public cab stand assigned for that purpose by by-law of the City Council; and
- (x) "taxi-cab" within the meaning of that term as used in the licensing provisions of The Municipal Act.

Application of Schedule

2. (1) Subject to subsection 2, the provisions of this Schedule apply to,

- (a) every owner of a regulated vehicle used for hire,
- (b) every such regulated vehicle,
- (c) every person employed as a driver of any such regulated vehicle,
- (d) every taxi-cab broker, and
- (e) the rates or fares to be charged for the conveyance of passengers within the City of Hamilton or to any point not more than three miles beyond its limits, in any such regulated vehicle.

(2) The provisions of this Schedule do not apply to,

- (a) a public vehicle within the meaning of The Public Vehicles Act and which does not take on passengers within the limits of the City of Hamilton and discharge any such passenger within such limits; or
- (b) a public commercial vehicle within the meaning of The Public Commercial Vehicles Act; or
- (c) the lawful operations of The Hamilton Street Railway Company.

(3) For the purpose of subsection 2, "driver" does not include the driver of an ambulance. By-law No. 79-107, S.1.

(4) Notwithstanding any provision of this by-law, not more than the number of licences for public taxi-cabs in column 2 and not more than the total number of licences for private cabs in column 3 shall be issued for the corresponding year referred to in column 1 of Appendix "1" to this schedule. By-law No. 79-315, S.1.

Licence Required

Owners

3. (1) No person shall, being the owner of a regulated vehicle, carry on the business of conveying passengers for hire, without a licence under this by-law entitling him so to do.

(1a) No person being the owner of a cab equipped with a taxi-meter and to whom a licence has been issued shall, without the approval of the Licence Committee, carry on or permit to be carried on the business of conveying passengers for hire or permit any person to drive the cab for hire, where the monetary interest of the person to whom a licence has been issued is less than 50% of the fair market value of the cab. By-law No. 79-229, S.2.

(1b) For the purpose of subsection 1a, "fair market value" is an amount that a licensed cab equipped with a taxi-meter might be expected to realize if sold in the open market by a willing seller to a willing buyer, but not more than an amount determined by the Licence Committee. By-law No. 79-229, S.2.

Drivers

(2) No person shall engage in the occupation of driver of a regulated vehicle, without a licence under this by-law entitling him so to do.

Taxi-Cab Brokers

(3) No person shall carry on business as a taxi-cab broker, without a licence under this by-law entitling him so to do.

Application for Licence

Owners

4. (1) Every application for an owner's licence under this Schedule shall be delivered by the applicant to the Issuer of Licences.

Drivers

(2) Except as provided in subsection 3, every application for a driver's licence shall also be delivered to the Issuer of Licences and shall be accompanied by two satisfactory photographs of the applicant, being one for inclusion in the identification card hereinafter required to be displayed in the vehicle and one for retention by the Chief Constable, and by the applicant's birth certificate, showing in the case of a male applicant, that he is at least 18 years of age, and in the case of a female applicant, that she is at least 18 years of age, and, in the case of an applicant for an ambulance driver's licence, shall show that he is qualified to render first aid.

(3) Provided that no new photographs need be furnished by a driver who was licensed the previous year, unless requested.

Taxi-Cab Brokers

(4) Every application for a taxi-cab broker's licence shall be made to the City by delivering it to the Issuer of Licences, and shall be accompanied by particulars of his arrangements for carrying on the business.

Taxi-Cab Priority List Application

4a. (1) Except as provided in subsection 2, where an application has been made by an individual for an owner's licence that is not a renewal of a licence, and the applicant otherwise complies with this by-law, his name and address shall, upon approval of the application, be entered on a list entitled "Taxi-cab Priority List" in the order of prior application date. By-law No. 79-315, S.2.

(2) No applicant's name shall be entered more than once on the Taxi-cab Priority List. By-law No. 79-315, S.2.

(3) No applicant's name shall be entered on the Taxi-cab Priority List that is not an individual. By-law No. 79-315, S.2.

(4) Subject to subsection 1, every applicant whose name is added to the Taxi-cab Priority List shall be issued a licence in order of prior application date, but no new licences shall be issued that result in exceeding the total number of licences permitted to be issued under subsection 4 of section 2. By-law No. 79-315, S.2.

(5) The Taxi-cab Priority List shall be made available by the Licence Administrator to any individual requesting a copy and shall be marked subject to revision by the Licence Committee. By-law No. 79-315, S.2.

(6) Notwithstanding subsection 1, the Licence Committee may,

(a) delete names of applicants from; or

(b) add names of applicants in order of the prior date of application to,

the Taxi-cab Priority List. By-law No. 79-315, S.2.

21.01

(7) Where an owner's licence has been issued or denied to an individual by the City, his name under the application date respecting which the licence was issued, shall be deleted from the list and upon deletion, any application for an additional licence shall be made in accordance with subsection 1. By-law No. 79-315, S.2.

(8) Where an applicant's name has been entered upon the Taxi-cab Priority List he shall lodge with the Licence Administrator proof of compliance with clauses (a) and (b) of section 6 and subsection 1 or 2 of section 10 of this schedule, within 30 days of notification by the Licence Administrator that an owner's licence may be issued to the applicant. By-law No. 79-315, S.2.

(9) Where the applicant does not comply with subsection 8, his name shall be deleted from the Taxi-cab Priority List and no licence shall be issued to the applicant. By-law No. 79-315, S.2.

4b. Notwithstanding any other provision of this by-law no application shall be approved unless the applicant for a licence not previously issued or renewed to the applicant complies with all of the following regulations:

1. The applicant shall lodge with the Licence Committee within 14 days of the date of a notice by the Licence Administrator and prior to consideration of the application by the Licence Committee,

(a) a statutory declaration declaring,

(i) that he has been actually engaged in operating a taxi-cab full time in the City as an owner or driver or dispatcher for a period of at least two consecutive years immediately prior to the date of consideration of the application by the Licence Committee;

(ii) that he has not granted, assigned, conveyed, transferred or otherwise passed on by sale, lease, gift or otherwise the use or possession of any other licence issued to him under this schedule for a period of at least two consecutive years immediately prior to the date of consideration of the application by the Licence Committee;

21.02

(b) either a statement of earnings on Revenue Canada Form T4 or a certified true copy by Revenue Canada of income tax returns for two consecutive years prior to the date of consideration of the application by the Licence Committee.

2. Where the applicant has purchased, leased or otherwise acquired a motor vehicle and equipment for use as a taxi-cab or a taxi-cab and equipment, the applicant shall declare in the statutory declaration referred to in paragraph 1, all the financial details and arrangements with any other person of the purchase, lease or other acquisition. By-law No. 79-315, S.2.

Licence Certificate

5. On every licence certificate of an owner or taxi-cab broker shall be shown the identity of the one vehicle for which the licence is granted, and there shall be a separate licence certificate for each vehicle.

Transfer of Taxi-cab Licence

5a. Where an applicant is not the holder of a licence as a taxi-cab owner under this schedule, a licence issued to the applicant shall not be approved for transfer or transferred for a period of at least five consecutive years from the date of issue of the licence to the applicant. By-law No. 79-315, S.2.

5b. Where the applicant is the holder of one or more licences as a taxi-cab owner under this schedule, and one or more additional licences are subsequently issued to the applicant under this schedule in addition to any licence previously issued to him, any previously issued licence shall not be approved for transfer or transferred until the same number of subsequently issued licences are surrendered to the Licence Committee for cancellation. By-law No. 79-315, S.2.

Taxi-cab Licensees

5c. No licensee who is the holder of a licence as a taxi-cab owner shall enter into any written or oral agreement, directly or indirectly, permitting or acquiescing in the operation of the taxi-cab for which the licence was issued, by any other person. By-law No. 79-315, S.2.

Requirements re: Vehicles and Equipment

6. Except when the Chief Constable and Chief Licence Inspector have been advised that the use of the vehicle has been suspended until further notice, every owner shall be responsible:

Every Vehicle

- (a) that every cab, ambulance or funeral hearse is,
 - (i) of suitable type for its purpose,
 - (ii) in safe driving condition, clean and neat inside and out, and otherwise fit for its purpose, and
 - (iii) properly equipped, and the equipment maintained in proper condition, and otherwise fit for its purpose;

Taxi-Cabs

- (b) that in the case of a cab except a livery cab it is equipped with a suitable sign on the roof, indicating that the vehicle is a taxi-cab, and with a taxi-meter of a type suitable for the purposes of this by-law,

- (i) fixed facing the right-hand front seat where it may readily be seen and read by passengers,
- (ii) equipped with a metal plate or flag so motivated as to be in a raised position when the meter is not in operation, and in a lowered position when it is in operation,
- (iii) equipped with a suitable connection to a suitable sign on the roof, in such manner that when the flag is up and the meter not in operation, the sign on the roof will be properly illuminated, and that when the meter is in operation, the sign will not be illuminated,
- (iv) adjusted to register only according to the schedule of rates or fares established by this by-law,
- (v) maintained in proper condition and sealed, and
- (vi) tested and re-sealed not less than three months previously and in proper working condition; and

Ambulances

- (c) that in the case of an ambulance, it is equipped with a clean change of linen and kept clean and sanitary, and thoroughly cleansed after a trip with a passenger having an infectious disease, before being used again.

Hackney-Coaches

- (d) that in the case of a hackney-coach,
 - (i) it is in good and safe mechanical condition, and

- (ii) it is properly painted and maintained so as to present a clean, neat and business-like appearance, and
- (iii) it is properly upholstered and equipped for the safety, comfort and convenience of passengers, and
- (iv) that any horse used to draw the coach is
 - A. in good and sound physical condition and general health, and
 - B. is fed, watered, attended to and maintained. By-law No. 78-34, S.4(1).

7. Upon request of the Licence Committee the applicant for a driver's licence or a licensee shall deliver to the Issuer of Licences a health certificate of a member of the Ontario Veterinary Association for any horse used to draw a hackney-coach.

Drivers of Hackney-Coaches

8. The driver of a hackney-coach shall not operate his vehicle where stopping is prohibited under Section 41 of Traffic By-law No. 66-100, between the hours of 4:00 p.m. and 6:00 p.m. except Saturdays, Sundays and proclaimed holidays.

Drivers' Duties

9. (1) Every driver whether or not engaged or seeking engagement,
- (a) shall notify the Chief Licence Inspector and Chief Constable in writing,
 - (i) within 48 hours of any change of address, and

- (ii) within two hours after any collision or other mishap in which he or his vehicle is involved, and have his vehicle inspected by the Chief Constable and Chief Licence Inspector and made fit for its purpose before it is again used to carry any passenger;
- (b) except in the case of a funeral hearse, shall furnish upon request of a police officer and Chief Licence Inspector, such information as he can with respect to any passenger carried;
- (c) shall take all reasonable care that no passenger leaves any property in his vehicle, and, when any property is left, shall restore it at once or deliver it to the officer in charge at the nearest police station, with all relevant information in his knowledge;
- (d) shall not in any street, alley or other public place, do any washing or repairing of his vehicle not immediately necessary. By-law No. 78-34, S. 4(2), (3).

While Engaged or Seeking Engagement

(2) While engaged or seeking engagement, the driver of any cab or ambulance,

- (a) shall have his vehicle in safe driving condition, clean and neat inside and out, properly equipped as required by the provisions of this by-law, and in all other respects fit for the purpose, with the City's current licence plate prominently displayed on the rear of his vehicle, and the driver's identification card and a copy of the schedule of rates and fares prominently displayed on the back of the front seat; and
- (b) shall be neat and clean in his person and polite in his manner. By-law No. 78-34, S. 4(3).

Drivers of Taxi-Cabs

- (3) The driver of a cab required by this by-law to be equipped with a taxi-meter,

Condition of Vehicle, etc.

- (a) shall not drive any passenger or solicit business unless,
- (i) a suitable illuminated sign as hereinbefore required is displayed on the roof, indicating that the vehicle is a taxi-cab;
 - (ii) the City's current licence number is shown legibly on both sides of the cab in letters at least six inches high, and no other number is displayed except the motor vehicle licence number, the telephone number shown as such, and the driver's licence number on his identification card;
 - (iii) the meter is installed, in proper working condition, including illumination, and sealed;
 - (iv) the City's tariff card as well as the driver's identification card is prominently displayed on the back of the front seat; and
 - (v) he and the vehicle are in all respects fit for the purpose;

No Cruising of Loitering, etc.

- (b) shall not cruise, loiter, or solicit business in any street, alley or other public place, except when,
- (i) waiting for a person who has engaged him; or
 - (ii) parking in a public cab stand;

No Passenger With Infectious Disease

- (c) shall not knowingly carry any passenger suffering from an infectious disease;

Engagements

- (d) shall not unreasonably refuse any passenger and shall keep his engagements punctually;
- (e) shall not after leaving a starting point with a passenger, take on any other passenger without the consent of those who have already engaged him;
- (f) shall not accept any engagement to the prejudice of a prior engagement; and
- (g) shall carry a passenger for the regular fare to be paid later by the Chief Constable, when so requested by any police constable;

Meter Recording, and Route

- (h) shall have his meter recording only while a passenger is in his cab or while waiting for a passenger who has engaged him and shall take the shortest practicable route to his destination, except as otherwise requested by his passenger;

Two or More Passengers to Same Destination

- (i) when carrying two or more passengers to the one destination, shall collect only one fare, and, when the passengers are not companions shall collect only a proportionate part for each;

Receipt for Fare Paid

- (j) shall upon request furnish a passenger with a receipt showing the fare paid and the mileage travelled;

Disorderly Conduct

- (k) shall not allow any indecent or disorderly conduct in his vehicle; and

Record of Trips

- (l) shall, without obstructing traffic, make and keep a written record in Form 1 shown on Appendix "2" to this schedule, including all trips made during his shift, the City's licence number for the vehicle, his own name, licence number and address, the time and terminal points of each trip and the amounts collected, and shall turn it in to his employer within an hour after the close of his shift, together with, in return for a receipt for the amount, all fares received during his shift, less only the commission, if any, to which his working agreement entitles him.

Drivers of Public Cabs

- (4) The driver of a public cab,
 - (a) shall operate exclusively from a public cab stand assigned for that purpose by by-law of the City Council; and
 - (b) while on a public cab stand shall remain within convenient distance of his cab, and shall not behave in such a way as to create public annoyance by noise, obstruction of traffic or otherwise.

Drivers of Private Cabs

- (5) The driver of a private cab,
- (a) shall operate exclusively from the garage or other headquarters given to the City as his business address; and
 - (b) shall not enter upon or loiter in the vicinity of any public cab stand.
- (6) Repealed. By-law No. 79-107, S.2.

Owners' Duties

Insurance

10. (1) Except as provided in subsection 2 as a pre-condition to the issuing of a licence certificate under this Schedule to the owner of any cab or ambulance or hackney-coach, such owner shall deposit with the City by delivering to the Issuer of Licences the written certificate of an insurer duly licensed under The Insurance Act to carry on in Ontario the business of automobile insurance, that it has issued to or for the benefit of such owner in respect of such cab or ambulance, a motor vehicle liability policy which is on the date of the certificate in full force and effect, in an amount of not less than \$100,000.00, exclusive of interest and costs, against loss or damage resulting from bodily injury to or the death of one or more persons including passengers as well as third parties, and loss of or damage to property in any one accident, and, where in any one accident damages result from bodily injury or death and loss of or damage to property,

- (a) claims arising out of bodily injury or death shall have priority over claims arising out of loss or damage to property to the amount of \$85,000.00; and
- (b) claims arising out of loss or damage to property shall have priority over claims arising out of bodily injury or death to the amount of \$15,000.00,

and such written certificate of the insurer shall certify that it is provided in the policy that the same will not be cancelled or expire except upon ten days prior written notice thereof to the City delivered to the Issuer of Licences, and that until such notice is given the policy and the certificate are valid, and sufficient to cover the term of any renewal or extension of the term of such owner's licence by the City.

(2) In the case of an owner of five or more motor vehicles to be used for the purposes of the licensed business, a similar liability policy but in an amount of not less than \$300,000.00 may be accepted by the City in lieu of separate liability policies of \$100,000.00 with respect to each vehicle.

(3) The owner of a cab, ambulance or funeral hearse:

Change of Address

- (a) shall notify the Issuer of Licences in writing within forty-eight hours of any change of address;

No Unauthorized Vehicle

- (b) shall not allow to be used for hire any vehicle other than that one authorized by licence under this by-law, and with respect to which all the requirements of this by-law as to insurance and otherwise are complied with;

Condition of Vehicle and Equipment

- (c) shall be responsible that it is equipped as required by the provisions of this by-law, and that the vehicle and equipment are in all respects fit for their purpose, and that it is never driven for hire when not in safe driving condition;

Employ Only Licensed Drivers

- (d) shall not employ or permit to be employed or acquiesce in the employment of or use any driver except a licensed driver and shall within forty-eight hours of the commencement or termination of such employment, give written notice thereof to the City by delivering the same to the Issuer of Licences; and

Other Duties

- (e) shall, when acting as driver, be responsible for observance of all applicable duties of a driver. By-law No. 79-229, S.1.

- (4) Repealed. By-law No. 79-229, S.3.

Ambulance Address

- (5) The owner of an ambulance shall be responsible that it is operated only from the address furnished to the City and that no other address is published or advertised, and that, unless otherwise advised by the police, there shall accompany the driver on every call, an attendant capable of assisting the driver with a patient.

Taxi-Cab Broker's Duties

- 11. Every taxi-cab broker,
 - (a) shall provide a suitable office for the carrying on of his business, and keep the same orderly, clean and neat, and shall be responsible that there is no unseemly behaviour therein, by drivers or others;
 - (b) shall provide the telephone facilities or central radio transmitter, and where such a transmitter is used, shall maintain the same in proper condition;

- (c) shall provide off-street parking for every cab for which he receives calls, except when that is provided by the owner;
- (d) shall accept calls for only those owners whose names he has furnished to the City by delivering notice in writing to the Issuer of Licences;
- (e) shall keep a trip record showing the number of the owner's licence which covers the cab used, the name and licence number of the driver, the date and time of dispatch, and the points of beginning and ending of each trip; and all such records shall be kept available for inspection by the Chief Constable for at least six months; and
- (f) shall notify the Chief Constable and Chief Licence Inspector in writing within a reasonable time of any accident which may not have been reported by a driver, and of any other happening or other fact relevant to the administration and enforcement of this by-law or which ought to be reported to the Chief Constable in that connection. By-law No. 78-34, S. 4(4).

Medical Examination

12. Upon demand by the City, every person holding a licence under this by-law shall without undue delay have a physical or mental examination by a physician, and procure and furnish or cause to be furnished to the City a written report from the physician, of the results of such examination, or, in the alternative, if so required by the City, shall submit to such examination by a physician designated by the City, and in such case at the expense of the City.

Collection of Fares,--Cabs

13. (1) Every person who has engaged a cab shall, without delay upon performance of the engagement, pay the driver his lawful fare as established by this by-law, and every person

who has been conveyed in a cab ordered by some other person shall for the purposes of this section be deemed to be a person who has engaged it.

(2) Upon any dispute arising between a cab driver and a passenger as to the amount of the lawful fare or as to the payment of it, either party shall upon request accompany the other to the nearest police station, when it shall be the duty of the officer in charge to produce for inspection a true copy of this by-law.

(3) In the event of any such dispute not being then resolved, and it appearing that there may have been any breach of this by-law by driver or passenger, an information or informations may be laid.

Rates or Fares To Be Charged

14. (1) An owner or driver of a cab shall charge for the conveyance of passengers either wholly within the City of Hamilton or to any point not more than three miles beyond its limits, only the rates or fares set forth as follows:

(a) Livery Cabs or Metered Cabs by Agreement:

- (i) For the first hour or part thereof
.....\$12.00;
- (ii) For each additional quarter hour or
part thereof.....\$ 3.00;

(b) Metered Cabs:

- (i) For one or two passengers,
 - A. For the first 1/9 of a mile or
part thereof.....\$ 1.00.
 - B. For each additional 1/9 mile or
part thereof..... .10.
 - C. For each additional passenger in
excess of two..... .10.

- D. For each trunk..... .10.
- E. For hand baggage..... nil.
- F. For waiting after engagement
For each 45 seconds or part
thereof after the first 45
seconds..... .10.
- G. For a child in company with
an adult,
 - 1. If under the age of eight
years..... nil.
 - 2. If eight years old and under
twelve..... Half Fare
 - 3. If at least twelve years of
age..... Full Fare
- (c) For reporting for service at the place design-
ated, when the person engaging the cab fails
to employ the same..... .50.
By-laws Nos. 74-201, S.1; 74-217, S.1; 76-17,
S.1,2,3,4,; 77-153, S.1; 79-280, S. 1,2.

(2) A meter may be so designated and adjusted that the fare shall be computed for time as well as distance, at 10 cents for each three-quarter minute as above indicated, from the time or place when the passenger entered the cab, or from the first one and a three-quarter minutes of waiting for the passenger as above indicated, to the time or place at which the passenger discharged the cab, and the time for which the fare is chargeable shall include all unavoidable delays or stops. By-law No 74-201, S.1.

(3) Rates or fares mentioned in subsection 1 shall be reduced by 10% for persons issued an Ontario Senior Citizens Privilege Card issued by the Provincial Ministry of Community and Social Services, where all passengers travelling in a taxi cab are holders of said card.

(4) Every reduction in rates or fares referred to in subsection 3, shall be calculated on the highest full dollar registered on the taxi-meter. By-law No. 79-280, S.3.

15. No owner or driver of a hackney-coach shall charge a fare for conveyance, with or without stops, of one or more passengers from one place in the Municipality of the City of Hamilton to any other place in the Municipality, of more than,

- (a) six dollars per hour for each full hour of conveyance with or without stops;
- (b) a proportion of six dollars for a part of an hour.

16. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For omnibuses, per seat, except the driver's seat.....\$ 6.25.
By-law No. 10467, S.2, para. 4(c)
2. For each ambulance vehicle.....\$10.00.
By-law No. 10467, S.2, para. 4(d)
3. For each funeral hearse vehicle.....\$10.00.
By-law No. 10467, S.2, para. 4(e)
4. For each private cab being a vehicle that does not operate from a public cab stand assigned for that purpose by a by-law of the City,
 - (a) fee for first issue of a licence
.....\$500.00;
 - (b) fee for each renewal of a licence
.....\$100.00;
 - (c) fee for each transfer of a licence
.....\$500.00.
By-laws Nos. 75-105, S.1; 75-335, S.1,
Sched. A, para. 10

5. For each public cab vehicle,
- (a) fee for first issue of a licence
.....\$500.00;
 - (b) fee for each renewal of a licence
.....\$250.00;
 - (c) fee for each transfer of a licence
.....\$250.00.
By-laws Nos. 75-335, S.1, Sched. A,
para. 11; 76-63, S.1
6. For a taxi-cab broker,
- (a) fee for first issue of a licence
.....\$300.00;
 - (b) fee for each renewal of a licence
.....\$200.00.
By-law No. 75-335, S.1, Sched. A,
para. 9
7. Drivers of hearses, omnibuses and other
motor vehicles except cabs used for hire
and of carts and other animal drawn vehicles
.....\$ 2.00.
By-law No. 10467, S.2, para. 6
8. Drivers of a cab.....\$ 10.00.
By-law No. 70-123, S.3(2)

35.01

APPENDIX "1"

To Schedule 4
(Section 2(4))

Year (Col. 1)	Total No. of Licences Public Taxi-cabs (Col. 2)	Total No. of Licences Private Taxi-cabs (Col. 3)
1979	9	224
1980	9	227
1981	9	230
1982	9	233
1983	9	236

11/27/79

-1015-

35.02

APPENDIX "2"

To Schedule 4

FORM 1

(Section 9(3) (l))

IT IS MANDATORY TO COMPLETE ALL BUT THE SHADED AREAS

Date _____ Driver _____ Cab No. _____

IN		OUT		Trips	TOTAL SALES
a.m.	mileage	a.m.	mileage		
Paid Miles		Units		Units	Com. ____ %
Out				Extras	Gal ____ Gas
In				Hourly	Oil
Dif.				Dismiss.	Misc.
				Misc.	Charges
				Total	Total Exp.

		CASH			
Trip	No. Pass.	FROM	TO	\$	¢
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					

35.03

Trip	No. Pass.	FROM	TO	Sales Carried	
29					
30					
31					
32					
33					
34					
35					
36					
37					
38					
39					
40					
41					
42					
43					
44					
45					
46					
47					
48					
49					
50					
51					
52					
53					
54					
55					
56					
57					
58					
TOTAL					

DRIVER'S SIGNATURE

EQUIPMENT FAULTS : BRAKES ☐ STEERING ☐ LIGHTS ☐ EXHAUST SYSTEM ☐
RADIO ☐ METER ☐
CLEANLINESS AND DAMAGE : INTERIOR ☐ EXTERIOR ☐
CHECK : OIL ☐ TRANSMISSION FLUID ☐

SCHEDULE 5

CARTAGE BUSINESSES

Part I

TRUCK CARTAGE BUSINESSES

Interpretation

1. In this Part,

- (a) "cartage vehicle" means a motor vehicle used for hire for the conveyance of goods or other articles or material from one point within the City to another point within the City; and
- (b) "operator" means a person hiring a cartage vehicle from any person and then hires out the use of the cartage vehicle to any person. By-law No. 77-59, S.1,2,3.

Licence Required

Owners

2. (1) No person shall, in the City of Hamilton, being the owner of a cartage vehicle, carry on the business of conveying goods or other articles or material for hire without a licence under this by-law, entitling him so to do.

(1a) No operator shall, in the City of Hamilton, carry on the business of conveying goods or other articles or materials for hire without a licence under this by-law, entitling him so to do. By-law No. 77-59, S.4.

(2) Repealed. By-law No. 79-164, S.2(1).

Application for Licence

3. Every application with respect to a cartage vehicle shall be delivered by the applicant to the Issuer of Licences.

Owner's Licence Certificate

4. On every owner's licence certificate shall be shown the identity of the one cartage vehicle for which the licence is granted, and a separate licence certificate shall be required for each vehicle.

Drivers' Duties

5. Every driver shall notify the Issuer of Licences and the Chief Constable and Chief Licence Inspector within six days of any change of address, and shall promptly report all accidents or other mishaps with respect to the cartage vehicle, or with respect to any cargo or other property, shall not unnecessarily do any washing or repairing of his cartage vehicle in any street, alley or other public place, and, at any time when the same may not be safe to be driven, shall at once report to the Chief Constable or Chief Licence Inspector and shall not again drive it until it has again been made safe, and shall not at any time drive a cartage vehicle with respect to which a licence is required by the provisions of this Schedule, unless it has affixed to the right-hand side thereof, in a position in which it may readily be seen, the City's current licence plate. By-law No. 78-34, S.4(5).

Owners' Duties

Insurance

6. (1) Except as provided in subsection 2, as a pre-condition to the issuing of a licence certificate under this Schedule to the owner of any cartage vehicle, such owner shall deposit with the City by delivering to the Issuer of Licences the written certificate of an insurer duly licensed under The Insurance Act to carry on in Ontario the business of automobile insurance, that it has issued to or for the benefit of such owner in respect of such cartage vehicle a motor vehicle liability policy which is on the date of the certificate in full force and effect, in an amount of not less than \$50,000.00 exclusive of interest and costs, against loss or damage resulting from bodily injury to or the death of one or more persons and loss of or damage to property in any one accident, and, where in any one accident damages result from bodily injury or death and loss of or damage to property,

- (a) claims arising out of bodily injury or death shall have priority over claims arising out of loss or damage to property to the amount of \$40,000.00; and
- (b) claims arising out of loss or damage to property shall have priority over claims arising out of bodily injury or death to the amount of \$10,000.00,

and such written certificate of the insurer shall certify that it is provided in the policy that the same will not be cancelled or expire except upon ten days' prior written notice thereof to the City, delivered to the Licence Administrator, and that until such notice is given the policy and the certificate are valid, and sufficient to cover the term of any renewal or extension of such motor vehicle liability policy by the insurer, and any renewal or extension of the terms of such owner's licence by the City. By-law No. 76-33, S.1.

(2) Notwithstanding subsection 1, where a person owns five or more motor vehicles to be used for the purpose of the licensed business, a liability insurance policy similar to the liability policy referred to in subsection 1 may, with the approval of the City, be carried in an amount not less than \$300,000.00. By-law No. 76-33, S.2.

Miscellaneous

(3) Every person carrying on a business as an owner for which a licence is required by the provisions of this Schedule, or as a driver, shall be responsible,

- (a) that the Chief Licence Inspector and the Chief Constable are notified in writing within six days, or any change of address;
- (b) that no vehicle or motor vehicle is used in his business except one the use of which is authorized by a licence issued under this by-law;
- (c) that no such vehicle or motor vehicle is used for hire when not in safe driving condition;
- (d) that no such vehicle or motor vehicle is used for hire without having affixed to the right-hand side thereof, in a position in which it may most readily be seen, the City's current licence plate, and having no other number showing except the provincial licence number or numbers;
- (e) that no such vehicle or motor vehicle is driven by any driver not holding a licence under this by-law;

- (f) that within forty-eight hours of the employment or termination of employment of any driver, written notice thereof is given to the Chief Licence Inspector and to the Chief Constable;
- (g) that every cartage vehicle shall have a safety check by the Ministry of Transport at least once each year. By-law No. 76-33, S.3.

(4) Subsections 1, 2 and 3 shall apply to a person who is an operator of a cartage vehicle. By-law No. 77-59, S.5.

Medical Examination

7. Upon demand by the City, a licensee shall promptly have a physical or mental examination by a physician, and procure and furnish or cause to be furnished to the City a written report from the physician, of the results of such examination, or, in the alternative, if so required by the City, shall submit to examination by a physician designated by the City, and in such case at the expense of the City.

PART II

HORSE CARTAGE BUSINESSES

Licence Required

8. No person shall carry on business as a teamster, carter or drayman without a licence under this by-law, entitling him so to do.

Duties

9. Every person carrying on the business of a teamster, carter or drayman shall be responsible that the following requirements are complied with, namely:

(1) That the premises used are fit for the purpose and kept in a clean, dry and safe condition, and in a proper state of repair.

(2) That all harness, vehicles and other equipment are kept fit for their purpose and are kept in a clean and safe condition and in a proper state of repair.

(3) That no article or equipment or business or other activity of any kind which is not normally and customarily incidental to the business of a teamster, carter or drayman is allowed on the premises.

(4) That every animal is healthy, safe and otherwise fit for the purpose, and is at all times kept well-shod, clean and in good condition.

(5) That the attention of a veterinary surgeon is procured without unnecessary delay, for any animal in need of it.

(6) That no animal is given into the charge of any person not competent to keep it under proper control.

10. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For owners of carts and other animal drawn vehicles used for hire for the conveyance of goods or other material, or for the conveyance of passengers,
 - (a) for each vehicle.....\$ 10.00.
By-law No. 10534, S.1
2. For owners of cartage vehicles,
 - (a) fee for first issue of a licence
.....\$250.00;
 - (b) fee for each additional licence
.....\$ 15.00;
 - (c) fee for renewal of first licence
.....\$ 50.00;
 - (d) fee for renewal of each additional licence
.....\$ 15.00.
By-law No. 75-335, S.1, Sched. A, para. 37

SCHEDULE 6

4

DRIVE-SELF RENTAL VEHICLES AND TRUCKS

Interpretation

1. In this Schedule,

- (a) "drive-self rental vehicle" means a motor vehicle used for hire for the conveyance of persons, which is hired or kept for hire to persons who are to provide their own drivers; and
- (b) "drive-self cartage vehicle" means a motor vehicle used for hire for the conveyance of goods or other articles or material, which is hired or kept for hire to persons who are to provide their own drivers.

Application of Schedule

2. The provisions of this Schedule shall not apply with respect to motor vehicles rented only by the month or for periods of more than a month.

Licence Required

3. No person shall, in the City of Hamilton, being the owner of a drive-self rental vehicle or a drive-self cartage vehicle, carry on the business of letting it for hire without a licence under this by-law, entitling him so to do.

Application for Licence

4. Every application with respect to a drive-self rental vehicle or a drive-self cartage vehicle shall be delivered by the applicant to the Licence Administrator. By-law No. 78-34, S.6(1).

Licence Certificate

5. On every licence certificate shall be shown the identity of the vehicle for which the licence is granted, and a separate licence certificate shall be required for each vehicle.

Owners' Duties

Insurance

6. (1) Except as provided in subsection 2, as a pre-condition to the issuing of a licence certificate under this Schedule to the owner of any drive-self rental vehicle or drive-self cartage vehicle, such owner shall deposit with the City by delivering to the Issuer of Licences the written certificate of an insurer duly licensed under The Insurance Act to carry on in Ontario the business of automobile insurance, that it has issued to or for the benefit of such owner in respect of such drive-self rental vehicle or drive-self cartage vehicle, a motor vehicle liability policy which is on the date of the certificate in full force and effect, in an amount of not less than \$50,000.00, exclusive of interest and costs, against loss or damage resulting from bodily injury to or the death of one or more persons and loss of or damage to property in any one accident, and, where in any one accident damages result from bodily injury or death and loss of or damage to property,

- (a) claims arising out of bodily injury or death shall have priority over claims arising out of loss or damage to property to the amount of \$40,000.00; and
- (b) claims arising out of loss or damage to property shall have priority over claims arising out of bodily injury or death to the amount of \$10,000.00,

and such written certificate of the insurer shall certify that it is provided in the policy that the same will not be cancelled or expire except upon ten days' prior written notice thereof to the City, delivered to the Licence Administrator and that until such notice is given the policy and the certificate are valid, and sufficient to cover the term of any renewal or extension of such motor vehicle liability policy by the insurer, and any renewal or extension of the term of such owner's licence by the City. By-law No. 76-33, S.4.

(2) Notwithstanding subsection 1, where a person owns five or more motor vehicles to be used for the purpose of the licensed business, a liability insurance policy similar to the liability policy referred to in subsection 1 may, with the approval of the City, be carried in an amount not less than \$300,000.00. By-law No. 76-33, S.5.

Miscellaneous

(3) Every person carrying on a business for which a licence is required by the provisions of this Schedule shall be responsible,

- (a) that the Chief Licence Inspector and the Chief Constable are notified in writing within six days of any change of address;
- (b) that no drive-self rental vehicle or drive-self cartage vehicle is used in his business except one the use of which is authorized by a licence issued under this by-law;
- (c) that no such drive-self rental vehicle or drive-self cartage vehicle is used for hire when not in safe driving condition; and
- (d) that a proper record is kept showing the record of every person to whom a drive-self rental vehicle or drive-self cartage vehicle was let, including the following:
 - (i) Name and address of such person;
 - (ii) Description including sex, age, height, weight, colour of eyes and hair, beard or moustache if any, whether bald or not and any other noticeable characteristics;
 - (iii) Number of driver's or chauffeur's permits;
 - (iv) Date and time of hiring and for what alleged probable period and destination; and
 - (v) The signature of such person;
- (e) every self-drive cartage vehicle shall have a safety check by the Ministry of Transport at least once each year,

and all such records shall be plain and legible, written or typed in the English language, and shall be kept for at least one year, and during that period kept available to inspection by the Chief Constable or Chief Licence Inspector at all times, and all information in said records shall be confidential to the City, the Chief Constable and the Chief Licence Inspector authorized to peruse the same, and shall not be communicated to any other person except as it may be required to be given in evidence. By-laws Nos. 76-33, S. 6(3); 78-34, S.6(3).

7. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For owners of drive-self rental vehicles and drive-self cartage vehicles, being vehicles that are hired or kept for hire to persons who are to provide their own drivers, to operate,
 - (a) not more than 10 vehicles, for each vehicle.....\$10.00;
 - (b) 11 or more vehicles but not exceeding 20 vehicles, for each vehicle.....\$ 7.50;
 - (c) vehicles in excess of 20 vehicles, for each vehicle.....\$ 5.00.
- By-law No. 10467, S.2, para. 2

SCHEDULE 7

DRIVING SCHOOLS AND INSTRUCTORS

Interpretation

1. In this Schedule,
 - (a) "driving school" means the business of teaching persons to operate motor vehicles; and
 - (b) "driving instructor" means a person who engages in the calling of teaching persons to operate motor vehicles.

Licence Required

2. (1) No person shall, in the City of Hamilton, carry on the business of a driving school without a licence under this by-law, entitling him so to do.

(2) No person shall engage in the calling of a driving instructor in the City of Hamilton without a licence under this by-law, entitling him so to do.

Application for Licence

3. Every application for a licence shall be delivered by the applicant to the Issuer of Licences, and every application for a driving school licence shall include particulars of the applicant's financial responsibility, and shall be accompanied by his public liability and other insurance policies, if any.

Licence Certificate

4. On every driving school owner's licence certificate shall be shown the identity of the one motor vehicle authorized to be used in teaching persons to operate motor vehicles, and a separate licence certificate shall be required for each vehicle.

Duties of Driving Instructor

5. Every driving instructor shall be responsible,
- (a) that driving instruction is not given over the same routes that are commonly used for tests for operator's permits; and
 - (b) that the Chief Constable and Chief Licence Inspector are notified in writing within six days of any change of address. By-law No. 78-34, S.7.

Duties of Driving School Operator

6. (1) Save as hereinafter otherwise provided, every person carrying on the business of a driving school shall be responsible,
- (a) that the Chief Licence Inspector and the Chief Constable are notified in writing within six days of any change of address;
 - (b) that the location of his place of business is suitable, and has adequate provision for off-street parking of motor vehicles;
 - (c) that no person is allowed to act as an instructor unless he is licensed under this by-law as an instructor;
 - (d) that every motor vehicle used in teaching persons to operate motor vehicles is in safe driving condition, that it is equipped with extra braking equipment for use by the driving instructor beside the driver, and that it may safely be used for the purposes of the business;
 - (e) that no motor vehicle is used for the purpose of teaching persons to operate motor vehicles except one the use of which is authorized by a licence under this Schedule;

- (f) that no such motor vehicle is used at any time for the purpose of teaching persons to operate motor vehicles, unless it carries at the rear a sign at least ten inches high and twenty inches wide, indicating the nature of the business, in letters clearly readable from the rear, at distances up to at least seventy-five feet; and
 - (g) that a proper record is kept, of daily reports from each driving instructor employed of all driving lessons given, and kept available for inspection by any member of the police force; said reports to include the name and address of the student driver, the date and time of each lesson, the name of the driving instructor, and the serial number of the driver's permit or temporary instruction permit of each student driver; and such records shall be kept for the period of at least one year.
- (2) Notwithstanding the foregoing, it shall be lawful,
- (a) for a driving instructor to teach a student driver how to drive in a motor vehicle owned by the student driver or a member of his immediate family, after the student driver has had, in the authorized motor vehicle, instruction sufficient to make such a change safely, and has had in any event, at least three hours instruction in an authorized vehicle; and
 - (b) for a driving instructor to teach a paraplegic student driver how to drive in a vehicle suitably equipped for that purpose, though not corresponding to the other requirements of this Schedule, provided that all other safety precautions are taken, which are reasonably practicable, including precautions with respect to the time when and the places where the instruction is given.

7. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For a person carrying on the business of a driving school,
 - (a) for each vehicle.....\$15.00.
By-law No. 75-335, S.1, Sched. A,
para. 14
2. For a driving instructor.....\$10.00.
By-law No. 75-335, S.1, Sched. A, para. 15

S C H E D U L E 8
EATING ESTABLISHMENTS
Interpretation

1. In this Schedule,
- (a) "eating establishment" means an eating establishment for which a licence may be required by by-law pursuant to the provisions of The Municipal Act, and includes,
- (i) "restaurant", which means an eating establishment where food is prepared on the premises and which has seating accommodation for more than fifteen persons;
- (ii) "lunch counter", which means an eating establishment which has seating accommodation for not more than fifteen persons;
- (iii) "refreshment stand", which means an eating establishment where only food already prepared for immediate consumption by the public without cooking, is served; and
- (iv) "drive-in restaurant", which means any eating establishment where carry-out service to patrons in motor vehicles is provided.

Licence Required

2. No person shall, in the City of Hamilton, carry on any business of an eating establishment, without a licence under this by-law, entitling him so to do.

 Provided that the keeper of a hotel within the meaning of the provisions of The Municipal Act in that behalf shall not be required to hold an eating establishment licence.

Duties of Operator

3. Every person carrying on the business of an eating establishment shall be responsible,

- (a) Condition of Premises. That the premises are kept clean and orderly and maintained in all respects reasonably suitable for the purpose for which they are used, and kept suitably lighted and ventilated;
- (b) Conduct on Premises. That no unseemly conduct is allowed; and
- (c) Dancing Prohibited. That no dancing or entertainment is allowed in any part of the premises that is not authorized under this by-law to be used as a public hall;

Provided that the foregoing shall not be deemed to prohibit suitable music for the pleasure of diners.

4. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

- 1. For a restaurant.....\$20.00.
 - 2. For a lunch counter.....\$15.00.
 - 3. For a refreshment stand.....\$10.00.
 - 4. For a drive-in restaurant.....\$20.00.
- By-law No. 10467, S.2, para. 7

S C H E D U L E 9

FOOD SHOPS

Interpretation

1. In this Schedule,

- (a) "food shop" means a place where food stuffs, intended for human consumption are made for sale, offered for sale, stored or sold.

Licence Required

2. (1) Except as provided in subsection 1, no person shall, in the City of Hamilton, carry on the business of a food shop, without a licence under this by-law, entitling him so to do.

(2) The holder of a licence for a butcher shop, fish shop, eating establishment or refreshment vehicle shall not be required to obtain a food shop licence.

3. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For a food shop.....\$10.00.
By-law No. 75-335, S.1, Sched. A, para. 21

S C H E D U L E 10

FUEL DEALERS

Repealed. By-law No. 79-164, S.1.

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SCHEDULE 11

KEEPERS OF LIVERY STABLES AND OF
HORSES USED FOR HIRE

Repealed. By-law No. 79-164, S.1.

S C H E D U L E 12

NON-RESIDENT PRODUCE WHOLESALERS

Interpretation

1. In this Schedule,

- (a) "non-resident produce wholesaler" means a person not being a wholesale dealer residing in Ontario who goes from place to place or to a particular place to make sales or deliveries of fruit and garden produce to a retail dealer.

Licence Required

2. No person shall carry on business as a non-resident produce wholesaler without a licence under this by-law, entitling him so to do.

3. Except as provided in paragraph 25, the amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For a non-resident produce wholesaler...\$250.00.
By-law No. 10467, S.2, para. 25
2. Paragraph 1 does not apply to a farmer resident in Ontario who sells only the produce of his own farm.

S C H E D U L E 13

PEDLARS

Interpretation

1. In this Schedule,

- (a) "pedlar" means a person who goes from place to place or to a particular place with goods, wares or merchandise for sale, or who carries and exposes samples, patterns or specimens of any goods, wares or merchandise that are to be delivered in the municipality afterwards.

Licence Required

- 2. No person shall carry on business as a pedlar without a licence under this by-law, entitling him so to do.

Licence Plate

- 3. Every pedlar while using a vehicle in his business shall keep affixed thereto, on the right-hand side thereof in such a manner as always to be readily visible from that side, the current licence plate for said vehicle, and no other licence plate on that side.

Miscellaneous Requirements

4. No pedlar shall,

- (a) hold any show or entertainment in any street or public place;
- (b) place or maintain any stand, stall or booth in any street or other public place;
- (c) use in his business any horse or other animal not in sound condition and well-cared for; or

- (d) being the holder of a pedlar's licence,
allow any other person to use his licence
plate.

5. The amount of the licence fee for a licence granted
under this Schedule shall be as follows:

1. For a pedlar,

- (a) who is a petty chapman.....\$ 2.00;
- (b) who travels with a push cart.....\$ 5.00;
- (c) who travels with a motor truck, panel truck
or station wagon.....\$30.00;
By-law No. 75-335, S.1, Sched. A, para. 38
- (d) who travels on foot with a basket,
valise, bag or pack.....\$ 2.00.
By-law No. 10467, S.2, para. 26

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S C H E D U L E 14

STREET AND TRANSIENT PHOTOGRAPHERS

Repealed. By-law No. 79-164, S.1.

S C H E D U L E 15

PUBLIC HALLS AND CERTAIN PLACES OF AMUSEMENT

Licence Required

1. (1) Except as provided in subsection 2, no person for hire or gain, nor any proprietary club, shall directly or indirectly keep or have in his or its possession, or on his or its premises, any billiard, pool or bagatelle table, or keep or have any such table, whether used or not, in a house or place of public entertainment or resort, without a licence entitling him or it so to do, issued pursuant to the provisions of this by-law; and for the purpose of this by-law every such premises, house or place of public entertainment or resort may be known and referred to as a "billiard room" or "poolroom", and every such person or proprietary club may be known and referred to as a "billiard room keeper" or "poolroom keeper".

(2) This subsection shall not be deemed to apply to a club where the use of any such table is only incidental to the main objects of the club.

(3) No person shall, without a licence entitling him so to do, issued pursuant to the provisions of this by-law, carry on or operate any exhibition, show, public hall, places of amusement or amusement contrivances including,

- (a) exhibition for hire or gain, theatre, moving picture show, music hall, bowling alley, pinball machine or other amusement machine, bingo parlour, arena or public hall; or
- (b) exhibition of wax works, menagerie, circus-riding, or other like show usually exhibited by showmen, or a carnival; or
- (c) roller skating rink or other place of like amusement; or

- (d) merry-go-round, switchback railway, carousel or other like contrivance; or
- (e) rebound tumbling establishment; or
- (f) shooting gallery,

provided that the provisions of this subsection shall not apply to any exhibition or travelling show or other show or performance held in a licensed theatre or public hall. By-laws Nos. 74-61, S.1; 77-192, S.1,2; 79-164, S.3.

(3a) Notwithstanding any other provision of this by-law, where a licence is issued to carry on or operate a bingo parlour at a particular premises no licence shall issue for the carrying on or operation of any other of the exhibitions, shows, public halls or other places of amusement or contrivances mentioned in clauses (a), (b), (c), (d), (e) and (f) of subsection 3 at the same premises unless otherwise approved by Council. By-law No. 77-192, S.2.

(3b) For the purpose of this Schedule, "bingo parlour" means a place of amusement where bingo lottery is carried on in accordance with By-law No. 70-306, passed on the 27th day of October, 1970. By-law No. 77-192, S.2.

Application for Licence

2. Every application for a licence for any public hall or place of amusement shall include particulars of the financial responsibility of the applicant.

Licence Certificate

3. On every licence certificate for a public hall or other place of public assembly shall be shown the maximum number of persons who may be lawfully accommodated in each room or part to be used for public assembly.

General Requirements

4. Every person carrying on or operating any exhibition, show, public hall, place of amusement or amusement contrivance for which a licence is required under this Schedule shall be responsible that the following requirements are observed, namely;

- (a) Advertising. There shall not be published, displayed or distributed any advertising matter which is vulgar or indecent;
- (b) Condition of Premises. The premises shall be kept clean and orderly and maintained in all respects reasonably suitable for the purpose for which they are used, and, in particular, while open for business and for the period of at least one-half hour before and after, the same shall be kept suitably lighted and ventilated, adequate sanitary facilities shall be available, and no snow or ice shall be allowed to accumulate on any fire escape or other means of egress in such manner or to such an extent as to create any unnecessary danger;
- (c) Hours. Save as hereinafter otherwise provided or as otherwise specifically authorized by law or as provided by by-law of the City Council under The Lord's Day (Ontario) Act, the premises shall be closed at 11:45 o'clock in the afternoon on Saturday and remain closed until eight o'clock in the forenoon of the following Monday, and shall be closed and remain closed on all other days from twelve o'clock midnight until eight o'clock in the forenoon of the following day;
- (d) Conduct on Premises. There shall not be allowed in or about the premises any disorderly or unseemly conduct;
- (e) Obstructing Highway. All necessary measures shall be taken to prevent any obstruction of the highway by patrons; and

- (f) Fire or Panic. In case of fire, panic or other emergency or untoward incident, the police and fire departments shall be notified promptly, and there shall be taken such other precautionary or protective measures as may be reasonably needful under the circumstances.

4a. Every person to whom this Schedule applies shall take out a separate licence for the carrying on or operation of each exhibition, show, public hall, place of amusement or contrivance mentioned in clauses (a), (b), (c), (d), (e) and (f) of subsection 3 of section 1. By-law No. 77-192, S.3.

Special Regulations

5. (1) Bowling Alleys. Notwithstanding the provisions of section 4 of this Schedule respecting hours, the business hours of a bowling alley on Monday, Tuesday, Wednesday, Thursday and Friday may be extended until one o'clock in the morning of the following day, but the keeper shall be responsible,

- (a) that no person under the age of fourteen years shall be allowed to be on the premises after nine o'clock in the afternoon or before eight o'clock in the forenoon of any day unless accompanied by one of his parents or a responsible adult.

(2) Public Halls. Every keeper of a public hall shall be responsible that the following requirements are observed, namely:

- (a) Undesirable Activities. No indecent or disorderly performance or other such undesirable activity shall be allowed;
- (b) Dances. When dancing is held in a public hall, other than a bona fide private dance held by a private person or a bona fide religious, charitable, patriotic or fraternal organization,

- (i) A competent and otherwise suitable female chaperone shall be in constant attendance;
- (ii) No person of recent immoral or criminal repute shall knowingly be admitted or allowed to remain; and
- (iii) Notwithstanding the provisions of section 4 of this Schedule respecting hours, the premises shall be closed at 11:45 o'clock in the afternoon on Saturday and remain closed until one o'clock in the afternoon of the following Monday, and during the remainder of the week the premises shall be closed at one o'clock in the forenoon and shall remain closed until one o'clock in the afternoon of the following day.

Provided that nothing herein shall be deemed to prohibit the continuance of any dance on New Year's Eve, until three o'clock of the following morning.

(3) Rebound Tumbling Establishments. Every operator of a rebound tumbling establishment shall be responsible that the following requirements are observed, namely:

- (a) The premises and equipment shall in all respects be suitable for the purpose, and so maintained; and, without limiting the generality of the foregoing there shall at all times be readily available a telephone and a suitable first-aid kit;
- (b) At all times when the establishment is in use there shall be at least one trained and competent supervisor in attendance for each twelve tumbling units or fractional part thereof, and all necessary measures shall be taken to prevent obstruction of the highways;

- (c) All injuries or mishaps shall as soon as possible be reported to the medical officer of health and the Chief Licence Inspector, and proper records of the same kept; and
- (d) No equipment shall be allowed to be used by any person under the influence of alcohol, or who is otherwise not in fit condition, or by any child under eight years of age unless in the immediate company of his parent or of some other competent and responsible person. By-law No. 78-34, S.9.

(4) Notwithstanding the provisions of section 4 of this Schedule respecting hours,

- (a) the premises of a moving picture theatre shall not be required to close at twelve o'clock midnight preceding a statutory holiday or a holiday fixed by proclamation and when such holiday, except Remembrance Day, falls on a Sunday, the premises shall not be required to close at twelve o'clock midnight on the Monday following the holiday;
- (b) where clause (a) applies, the premises of the moving picture theatre shall close after any complete presentation of a moving picture show after midnight but, in any event, not later than 3:00 in the forenoon of the next day following the preceding midnight. By-law No. 76-342, S.1.

(5) Notwithstanding the provisions of section 4, the premises of a moving picture show shall be closed not later than twelve o'clock midnight on Saturday and remain closed until eight o'clock in the forenoon of the following Monday, and shall be closed and remain closed on all other days from twelve o'clock midnight until eight o'clock in the forenoon of the following day. By-law No. 77-54, S.1.

6. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. Billiard Room or Pool Room,

(a) for the first table.....\$30.00;

(b) for the second table.....\$20.00;

(c) for each additional table after the second table.....\$10.00.

By-law No. 10467, S.2, para. 9

2. Exhibitions for which admission is charged in other than a licensed theatre or a licensed public hall,

(a) of pictures, paintings, statuary, waxworks or other works of art, or curiosities or other objects of interest, per day
.....\$ 5.00;

(b) of performing horses, ponies or dogs, per day.....\$ 25.00;

(c) of a menagerie or trained animal show, circus riding, wild-west show or other like show usually exhibited by showmen, or a carnival, per day.....\$200.00;
and for each side show or other entertainment connected with or associated with each show mentioned in this clause
.....\$ 25.00;

(d) of a performance of a troupe or company of actors or musicians, or of dramatic or musical performances, for each performance
.....\$ 5.00;

(e) of boxing, wrestling or other like performance, for each performance.....\$ 10.00.

By-laws Nos. 10467, S.2, para. 13; 75-335, S.1, Sched. A, para. 1

3. Theatre or moving picture show,
 - (a) drive-in, for each car stand..... .30;
 - (b) other than a drive-in, for each seat or chair..... .10.By-law No. 10467, S.2, para. 12
4. Arena, per seat or chair..... .10.
By-law No. 10467, S.2, para. 12
5. Bowling Alley,
 - (a) for the first and second bed.....\$40.00;
 - (b) for each additional bed after the second bed.....\$ 5.00.By-law No. 10467, S.2, para. 10
6. Pinball or other Amusement Machine Parlour in which is located,
 - (a) one or more machines, but not exceeding 20 machines.....\$500.00;
 - (b) 21 or more machines, but not exceeding 35 machines.....\$750.00;
 - (c) 36 or more machines.....\$1,000.00.By-laws Nos. 74-99, S.3; 75-335, S.1, Sched. A, para. 2
7. Bingo Parlour having a seating capacity of,
 - (a) under 300 persons.....\$ 50.00;
 - (b) 300 to 599 persons.....\$100.00;
 - (c) 600 to 999 persons.....\$150.00;
 - (d) 1,000 or more persons.....\$200.00.By-law No. 77-192, S.4

8. Bingo Lottery at a bazaar.....\$ 10.00.
By-law No. 75-335, S.1, Sched. A, para. 33
9. Public Hall, other than a Bingo Parlour, having
a seating capacity of,
 - (a) under 300 persons.....\$ 50.00;
 - (b) 300 to 599 persons.....\$100.00;
 - (c) 600 to 999 persons.....\$150.00;
 - (d) 1,000 or more persons.....\$200.00.By-law No. 75-335, S.1, Sched. A, para. 13
10. Roller Skating Rinks or like places of amusement
.....\$ 25.00.
By-law No. 10467, S.2, para. 14
11. Merry-Go-Round, Switchback Railway, Carousel
or other like contrivances including Roller
Coaster, for each day.....\$ 5.00.
By-law No. 75-335, S.1, Sched. A, para. 3
12. Rebound Tumbling Establishment,
 - (a) for 20 beds or less.....\$ 10.00;
 - (b) for more than 20 beds.....\$ 25.00.By-law No. 10467, S.2, para. 17
13. Shooting Gallery.....\$ 10.00.
By-law No. 10467, S.2, para. 15

SCHEDULE 16

REFRESHMENT VEHICLES

Interpretation

1. In this Schedule,

- (a) "refreshment vehicle" means a motor vehicle or other vehicle from which refreshments are sold for consumption by the public, and includes,
 - (i) "lunch vehicle", which means a vehicle from which food is sold, other than ice cream, frozen desserts and other frozen confections; and
 - (ii) "ice cream vehicle", which means a vehicle from which is sold ice cream, frozen desserts or other frozen confections.

Licence Required

2. No person shall in the City of Hamilton carry on the business of selling for consumption by the public, refreshments from a vehicle, without a licence entitling him so to do

Application for Licence

3. Every application for a licence shall show which class of licence is applied for, the type of motor vehicle or other vehicle proposed to be used, and particulars of the applicant's financial responsibility.

Owner's Licence Certificates

4. On every owner's licence certificate shall be shown the identity of the one motor vehicle or other vehicle for which the licence is granted and a separate licence shall be required for each vehicle.

Requirements re: Lunch Vehicle and Equipment

5. Every person carrying on business with a lunch vehicle shall be responsible,

- (a) that it is of a suitable commercial type, with the food compartment wholly enclosed and self-contained; and
- (b) that it is equipped with a suitable refuse container.

Requirements re: Ice Cream Vehicle

6. Every person carrying on business with an ice cream vehicle shall be responsible,

- (a) that it is of a suitable commercial type, and equipped with a suitable compartment suitably refrigerated, for all ice cream and other frozen food carried;
- (b) that there is conspicuously displayed on the rear the warning "WATCH FOR CHILDREN", in readily legible black letters at least six inches high, on a yellow background;
- (c) that it is equipped with two or more amber lights on top, so placed as to be readily visible by a person five feet in height standing four feet in front of or behind the vehicle, and equipped with a device to keep the lights flashing while the vehicle is stopped for the sale of food; and
- (d) that every rear bumper shall have such a cover on such an angle as to prevent a child from standing or sitting on it.

Owner's Duties

7. Every person carrying on a business for which a licence is required under this Schedule shall be responsible,

- (a) that the Chief Licence Inspector and the Chief Constable are notified in writing within six days of any change of address;
- (b) that no vehicle or motor vehicle is used in his business except one the use of which is authorized by a licence issued under this by-law;
- (c) that no such vehicle or motor vehicle is used when not in safe driving condition, and that it is inspected by the police at least once in each calendar year;
- (d) that no such vehicle or motor vehicle is used for business without having affixed to the right-hand side thereof, in a position in which it may most readily be seen, the City's current licence plate, and having no other licence number showing except the current provincial licence number or numbers; and
- (e) that no such motor vehicle is driven by any person not currently holding a chauffeur's licence, and that every such vehicle and motor vehicle while being used in the business is under the charge of a person at least 16 years of age and competent and otherwise suitable for the purpose.

Drivers' Duties

8. Every driver of a refreshment vehicle shall be responsible for the observance of the following rules:

- (a) He shall report at once to the Chief Licence Inspector and to the Chief Constable when the vehicle is not in safe driving condition, and shall refrain from driving it again until it is safe to do so;

- (b) He shall not cry his wares or sound any chimes or other audible means of recognition while the vehicle is in motion, or for more than five seconds at intervals of not less than five minutes, or in any residential area after eight o'clock in the evening or before eight in the morning;
- (c) He shall not stop for the sale of any products,
 - (i) within 75 feet of an intersection;
 - (ii) within 100 yards of any eating establishment, school ground, recreation ground, playground or public park; or
 - (iii) for more than ten minutes at any one location on a residential street; or
 - (iv) without being properly parked;
- (d) He shall not serve any customer who is standing in the roadway;
- (e) Immediately before putting his vehicle in motion after having been stationary for the sale of products, he shall make a complete safety tour around the vehicle;
- (f) He shall not unnecessarily do any washing or repairing of a vehicle in a street, alley or other public place; and
- (g) At all times while his vehicle is stopped for the sale of food, he shall be responsible that the lights required by section 6 are kept flashing;
- (h) He shall report at once to the Chief Licence Inspector every accident or other mishap which has occurred with respect to the vehicle, or otherwise in connection with the carrying on of the business. By-law No. 78-34, S.10.

Prohibition

9. (1) Except as provided in subsection 2, no person shall sell fruit, candy, peanuts, ice cream or ice cream cones from a basket or wagon, cart or other vehicle, upon the roadway of any street, or upon any part of the street allowance of any street other than a residential street.

(2) Nothing in this section applies to a farmer, market gardener or other person selling or delivering goods at any place of business or residence upon such highway or part thereof.

10. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. Refreshment Vehicle,

(a) for each motor vehicle.....\$75.00;

(b) for each pedal vehicle.....\$50.00.

By-law No. 75-335, S.1, Sched. A, para. 41

SCHEDULE 17

SALVAGE AND SECOND-HAND GOODS BUSINESSES

Application of Schedule

1. (1) The provisions of this Schedule shall not be deemed,
 - (a) to apply to the business of buying and selling articles commonly recognized as valuable antiques or works of art; or
 - (b) to require the reporting of the purchase or sale of waste paper, rags, bones or bottles, or of used tires, or of ferrous metal scrap which is obviously scrap, or to require the retention of any such goods for any specified period; but the exception provided in this clause does not extend to any motor vehicle or part thereof.

1a. For the purpose of this Schedule salvage yard includes an automobile wrecking yard or premises. By-law No. 74-23, S.1.

(2) The provisions of subsection 1 of section 2 of this Schedule do not apply to any person engaged in the business for patriotic or charitable purposes.

(3) The provisions of section 4, clauses (a) and (d) of section 6, and clause (a) of section 7 do not apply to a person who deals in second-hand goods, only to the extent of receiving traded-in articles the value of which is applied on account of the purchase price of new goods of a like kind being sold by him in the usual course of his business to the owner of such second-hand goods.

Licence Required

2. (1) No person shall carry on or engage in the business of a salvage shop, salvage yard, second-hand goods shop or

dealer in second-hand goods without a licence under this by-law entitling him so to do.

(2) Every person required to obtain a licence shall obtain a separate licence with respect to each and every shop, store, yard or other premises used for the transaction of business or for receiving, keeping or storing salvage or second-hand goods.

Classes of Licence

3. (1) Any licence required under this Schedule may be issued to authorize the licensee to deal in one class only of second-hand goods or in more than one class as may be specified, and no person shall deal in any class of second-hand goods not covered by his licence.

(2) Second-hand motors, cash registers, typewriters and adding or other business machines shall constitute a separate class.

Record Book and Reports

4. (1) Every person carrying on or engaging in the business of a salvage shop, salvage yard, second-hand goods shop or dealer in second-hand goods shall, without delay, at the time when any salvage or second-hand goods are purchased, taken in exchange, received on consignment or otherwise received or acquired in any manner whatsoever, enter in the Record Book in ink or indelible pencil and in a plain and easily readable hand and in the English language, a record of all such salvage and second-hand goods (except waste paper, rags, bones and bottles, and used motor vehicle or bicycle tires, and ferrous metal scrap which is obviously scrap), the date and time, the price or other consideration given, and the name and address of the person from whom they were so purchased, taken in exchange or otherwise obtained, together with the current licence number of the motor vehicle, if any, in which such salvage or second-hand goods were

brought; and, in the case of tools purchased or otherwise obtained, the record shall include a proper description of the same, including the name of the manufacturer, and the identifying number or initials, if any. By-law No. 79-146, S.1.

(2) Every person carrying on or engaging in any of the said businesses shall deliver at the office of the Chief Constable before two o'clock in the afternoon daily, except on Sundays and public holidays, a true copy of the entries in the Record Book relating to all such transactions which have taken place since the transaction last so reported; and whenever there is reason to suspect that any goods or articles may have been stolen, all readily ascertainable particulars of the same and of the person offering the same shall be included in the said report.

(3) Goods redeemed on pawn tickets shall be treated as purchased and so entered, by every person engaging in any such business; and in entering bicycles the name of the maker and the serial number shall be recorded; and in the case of a used motor vehicle or wrecked motor vehicle purchased, taken in exchange or otherwise obtained, there shall be entered in the Record Book the name of the maker, all serial numbers and the current or previous year's motor vehicle licence number, if any.

(4) The said Record Book shall be and remain the property of the City and shall be returned to the City by the licensee at any time on demand, and in any event immediately before the expiry of the licence, whether by revocation or otherwise; and the licensee shall take all necessary precautions to guard against its loss, destruction or mutilation.

(5) When any Record Book is delivered to the City at any time during currency of the licence, the secretary shall supply to the licensee another Record Book which shall be kept and used in the same manner by the licensee at all times while he is without the former Book.

(6) All information in said Record Books and Reports shall be confidential to the City, the Chief Constable and those

members of the police force authorized to peruse the same and shall not be communicated to any other person except as it may be required to be given in evidence.

Purchasing from Minors

5. No keeper of a second-hand goods shop or salvage store or shop shall directly or indirectly purchase from, exchange with or receive in pledge from any minor appearing to be under the age of eighteen years, without written authority from a parent or guardian of such minor, any metals, goods or articles.

Miscellaneous Regulations

Second-Hand Goods Shops, and Salvage Shops and Yards

6. Every keeper of a second-hand goods shop or of a salvage shop or salvage yard shall be responsible,

- (a) Period of Retention of Goods. That all salvage and second-hand goods purchased, taken in exchange or otherwise obtained, including goods obtained from a dealer in second-hand goods, shall be retained in unchanged condition and exposed to public view in his shop or yard in the City of Hamilton for a period of at least fourteen days thereafter, exclusive of Sundays and public holidays, and that the same shall be kept clearly separated in location during the whole of such period, from all goods previously purchased, and that none of the same shall be sold or otherwise disposed of until after the expiration of the said period;
- (b) Place of Storage, etc. That no salvage or second-hand goods are stored or kept any where but at the shop or yard in the City of Hamilton either within a building

or within a properly fenced enclosure, that no waste paper or any material likely to blow about the streets is allowed to be deposited or remain where it can do so, and that the whole premises and all salvage and goods therein are kept clean and orderly;

- (c) Soliciting on Highway. That there is no soliciting of business from any person that is on a public highway; and
- (d) Hours of Business. That no salvage or second-hand goods are purchased, taken in exchange or otherwise obtained on a public holiday, or after eleven o'clock in the afternoon of any day, or before seven o'clock in the morning of any day; and that except during full daylight, there is no collecting or attempted collecting of any goods or salvage, or any passing from house to house along any public or private way, for any such purpose.

Miscellaneous Regulations

Dealers in Second-Hand Goods

7. Every dealer in second-hand goods who does not hold a licence for a second-hand goods shop or a salvage shop or salvage yard shall be responsible,

- (a) Hours of Business. That no salvage or second-hand goods are purchased, taken in exchange or otherwise obtained on a public holiday, or after eleven o'clock in the afternoon of any day, or before seven o'clock in the morning of any day; and that except during full daylight, there is no collecting or attempted collecting of any goods or salvage, or any passing from house to house along any public or private way, for any such purpose;

(b) Retention or Inspection of Goods. That within seven days after the acquisition of any salvage or second-hand goods, either there is delivered to the Chief Constable in writing a list of the same, and such salvage and second-hand goods made available to the police for inspection, or that they are disposed of to the licensee of a second-hand goods shop or of a salvage shop or salvage yard in the City of Hamilton.

8. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

- 1. Dealer in Second-Hand Goods,
 - (a) travelling on foot or with hand cart\$ 5.00;
 - (b) travelling with animal-drawn wagon, motor truck, panel truck or station wagon.....\$10.00.By-law No. 10467, S.2, para. 29
- 2. Salvage Dealer,
 - (a) for each cart.....\$15.00;
 - (b) for each truck.....\$20.00.By-law No. 75-335, S.1, Sched. A, para. 44
- 3. Salvage Shop or Salvage Yard.....\$20.00.
By-law No. 10467, S.2, para. 30
- 4. Second-Hand Goods Shop.....\$20.00.
By-law No. 10467, S.2, para. 31

S C H E D U L E 18

SHOE SHINE SHOPS

Repealed. By-law No. 79-164, S.1.

S C H E D U L E 19

SIGN POSTERS AND BILL DISTRIBUTORS, ETC.

Licence Required

1. No person shall carry on or engage in any of the following businesses or occupations:

- (a) bill poster;
- (b) advertising sign painter;
- (c) bulletin board painter;
- (d) sign poster; or
- (e) bill distributor,

without a licence under this by-law entitling him so to do.

Miscellaneous Prohibitions

2. (1) No person shall post up or distribute any poster, picture or handbill that is indecent or that tends to corrupt morals.

(2) No person required by the provisions of this Schedule to be licensed shall distribute any poster, picture, handbill, printed matter or other paper whether printed or not,

- (a) by handing the same to any person in any highway or other public place; or
- (b) by depositing the same in or on any motor vehicle; or
- (c) by depositing the same on any lawn, verandah or other such place; or

- (d) by depositing the same into any street,
alley, park or other public place,

and every such person shall be responsible for any such act
of his servant or agent.

3. The amount of the licence fee for a licence granted
under this Schedule shall be as follows:

1. Bill Distributor.....\$10.00.
By-law No. 75-335, S.1, Sched. A, para. 7
2. Bill Poster, Advertising Sign Painter, Bulletin
Board Painter, Sign Poster,
 - (a) for not more than 25 spaces, each of an
area of vertical projection of not more
than 250 square feet.....\$25.00;
 - (b) for each additional such space....\$ 1.00;
 - (c) for each space of an area of vertical
projection of more than 250 square feet
.....\$ 1.00.By-law No. 10467, S.2, para. 34

S C H E D U L E 20

TOBACCONISTS

Licence Required

1. (1) Except as provided in subsection 2, no person shall keep any store or shop where tobacco, cigars or cigarettes are sold by retail, without a licence under this by-law entitling him so to do.

(2) The keeper of a hotel within the meaning of the provisions of The Municipal Act in that behalf, is not required to take out a licence under the Schedule. By-laws Nos. 79-164, S.1; 79-248, S.1.

2. The licence fee for keepers of stores and shops where tobacco, cigars or cigarettes are sold by retail, for each calendar year shall be \$20.00. By-law No. 79-164, S.5; 79-248, S.1.

S C H E D U L E 21

TOURIST CAMPS, TRAILER CAMPS, AND MOTELS

Part I

Licence Required

1. No person shall operate a tourist camp, trailer camp or motel without a licence under this by-law, entitling him so to do.

Application of Schedule

2. The provisions of this Schedule do not apply to a trailer camp having no more than one lot, located on land adjoining a dwelling occupied by the father, mother, brother, sister, son or daughter of one of the occupants of the trailer, where all the occupants of the trailer have unrestricted use at all times, of all the facilities of the dwelling except sleeping accommodation.

General Requirements

3. In every tourist camp, trailer camp and motel, the operator shall be responsible,
 - (a) that a suitable metal garbage container with close-fitting lid is provided for each unit, and the garbage collected at least once per day;
 - (b) that every unit is equipped with at least one suitable fire extinguisher containing at least one quart of carbon tetrachloride, or one or more extinguishers of at least equal power and efficiency;

- (c) that the establishment is provided with at least one ten-pound carbon dioxide fire extinguisher or equal, for every five units, and that no unit is distant more than one hundred feet from the nearest such extinguisher; and
- (d) that no open fire is allowed, provided that this shall not be deemed to prohibit the reasonable use of a fire in a properly constructed outdoor fire place, under the direct supervision of and in the presence of a competent person in charge of the same.

PART II

Trailer Camps

General Requirements

4. In every trailer camp, the operator shall be responsible,

- (a) that the camp is divided into lots, each lot of an area of at least one thousand square feet and a width at its narrowest part, of at least twenty-five feet;
- (b) that each lot abuts upon a driveway of a width of at least thirty feet, and direct and unobstructed access to a highway;
- (c) that every driveway is hard-surfaced, well-marked in daytime, and well-lighted at all times other than full daylight;
- (d) that every lot is equipped with a sewer connection and an electric outlet, and the boundaries well-marked;
- (e) that every camp is well-drained, and provided with at least one public telephone and one sanitary drinking fountain for every twenty-five lots or fraction thereof;

- (f) that adequate and suitable washing and bathing facilities are provided and properly maintained, with running hot as well as cold water;
- (g) that all electric, water and sewage services are properly maintained at all times, and suitable garbage containers provided and properly maintained, and all garbage collected and properly disposed of at least once every day, and the whole area kept clean and orderly at all times; and
- (h) that no trailer is allowed to be occupied by such a number of persons as to leave less than four hundred cubic feet of air-space for each.

Duration of Trailer Camp Licence

5. Licences may be granted for a period of one month or longer to the operator of a trailer camp for each lot to be made available for the occupancy of a trailer during the currency of the licence, and he shall not allow any lot to be used for the occupancy of a trailer, without a licence therefor.

Licence Fee

6. The licence fee payable by the operator of a trailer camp for each lot to be made available for the occupancy of a trailer during the currency of the licence is hereby fixed at twenty dollars per month, and all such fees shall be paid in advance.

PART III

Tourist Camps

No Trailers

7. The operator of a tourist camp shall not allow any trailer to be used for living accommodation in any part of the tourist camp, without a trailer camp licence for such part.

Auto Camps

8. Every part of a tourist camp which is used as an auto camp shall be laid out, equipped and maintained by the operator in accordance with the requirements for a trailer camp, except that in lieu of electric and sewer connections for each lot, he shall provide and properly maintain adequate and suitable lighting and sanitary facilities for the camp.

Tourist Cabins

9. Where tourist cabins are provided, the operator shall be responsible that each is situate on a lot having an area of at least one thousand square feet, and that in each cabin there are provided and properly maintained adequate and suitable lighting facilities, sanitary facilities, and at least one lavatory basin, one kitchen sink, and one bath tub or shower bath, with running hot as well as cold water, and that no cabin is allowed to be occupied by such a number of persons as to leave less than five hundred cubic feet of air space for each.

PART IV

Motels

10. Every operator of a motel shall be responsible that it is constructed, equipped, maintained and operated in accordance with the requirements of this Schedule for tourist cabins, except as to lot area.

11. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. Tourist Camp.....\$100.00.
By-law No. 10467, S.2, para. 38
2. Trailer Camp.....\$100.00.
By-law No. 10467, S.2, para. 38
3. Motel.....\$ 10.00.
By-law No. 10467, S.2, para. 39

S C H E D U L E 22

TRANSIENT TRADERS, AND PERSONS COMMENCING BUSINESS
AFTER RETURN OF ASSESSMENT ROLL

Transient Traders Licence Required

1. No transient trader or other person whose name has not been entered on the assessment roll in respect of business assessment for the then current year, and who offers goods, wares or merchandise for sale by auction, conducted by himself or by a licensed auctioneer or otherwise, or who offers them for sale in any other manner, shall carry on his trade or business without first having obtained a licence entitling him so to do.

Transient Traders Licence Fee

2. Every transient trader or other person whose name is not entered on the assessment roll or is entered on it for the first time, in respect of business assessment, and who so offers goods, wares or merchandise for sale, shall pay a licence fee before commencing to trade, in such amount as provided by by-law of the City Council.

Licence Required for Persons Commencing Business
After Return of Assessment Roll

3. Every person not licensed as hereinbefore in this Schedule required, who, after the return of the assessment roll, commences to carry on any business in premises in respect to which he is liable for business assessment, shall pay a licence fee before commencing such business, computed as provided in The Municipal Act.

4. (1) Except as provided in subsection 2, the amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. Transient Trader or other person mentioned in section 1.....\$500.00.

By-law No. 10467, S.2, para. 28

(2) The sum paid for a transient trader's licence shall be credited to future business and realty taxes, subject to the conditions provided by statute.

S C H E D U L E 23

PET SHOPS

1.

In this Schedule,

- (a) "animal" includes animal or bird whether or not exotic or wild and fish;
- (b) "cage" means a cage, tank, container or other receptacle for different species as the case may be;
- (c) "exotic animal" includes any wild mammal or wild bird or amphibian, reptile, fish or offspring thereof not indigenous to the United States and Canada that is not a pet or raised as a pet, but does not include an animal used for research or at a zoological garden;
- (d) "inspector" includes an inspector of the Society;
- (e) "medical officer" means the Medical Officer of Health of the Hamilton-Wentworth Regional Health Unit;
- (f) "pet shop" means a shop or place where animals or birds for use as pets are sold or kept for sale;
- (g) "pet shop keeper" means a person who keeps a pet shop;
- (h) "Society" means The Hamilton Society for the Prevention of Cruelty to Animals;
- (i) "Veterinarian" means a person registered under The Veterinarians Act;
- (j) "wild animal" includes any vertebrate except fish, that live in a wild or natural state in the United States or Canada and which is not subjected to domestication through selective or controlled breeding.

2. (1) There shall be taken out by every pet shop keeper a licence from the City authorizing the pet shop keeper to carry out his trade, calling, business or occupation in the City.

(2) No person mentioned in subsection 1 shall, within the City carry on or engage in the sale or offer for sale of any animal or bird until a licence has been issued to him, received by him, or transferred to him, entitling him so to do, and is in force.

(3) Every pet shop keeper shall, upon application for a licence or renewal of a licence, or transfer of a licence, pay to the City the fee fixed by this by-law.

(4) No licence shall be issued where the fee is not paid in full at the time of the application.

3. Every applicant for a pet shop keeper's licence shall take out a separate licence for each pet shop.

4. (1) No pet shop keeper's licence shall be issued, renewed or approved for transfer by the Licence Committee unless the applicant,

- (a) has an educational background relating to animal care and husbandry or equivalent practical experience;
- (b) has not been convicted of any offence under sections 400, 401, 402 or 403 of The Criminal Code, or of any similar offence in any other jurisdiction;
- (c) produces the written approval of,
 - (i) the medical officer; and
 - (ii) the Society,

to the physical content of the shop or place, the conditions of operation and the quality of care.

(2) Notwithstanding subsection 1, where the applicant satisfies the Licence Committee that a licence may reasonably be issued to him, a licence may be issued.

(3) Every applicant for a licence, renewal or transfer of a licence, shall provide three sets of professional photographs of the full interior of the shop as may be required by the Licence Committee.

(4) Every application or renewal of application or transfer of licence shall, upon receipt, be submitted by the Licence Administrator to the Society for review and comment.

5. Every pet shop keeper shall comply with the following regulations:

1. Permit only persons to operate or manage a pet shop who are qualified or have comparable practical experience in animal care and husbandry satisfactory to the Society.
2. Permit only persons who are trained to the satisfaction of the Society to attend to the care, feeding and cleaning of animals in the pet shop.
3. Display a sign having in plain letters not less than six inches in height in the English language, the words "Licensed Pet Shop".
4. Display the sign referred to in regulation 3,
 - (a) over the street door; or
 - (b) in the lower front window of the premises; or
 - (c) in a conspicuous place satisfactory to the Licence Committee.

5. Maintain the shop or place of business, or any part thereof or any cage or container or receptacle,
 - (a) in a sanitary condition; and
 - (b) in a well ventilated condition; and
 - (c) in a clean condition; and
 - (d) free from offensive odours; and
 - (e) free from dirt, filth, manure, excrement or other offensive matter.
6. Keep the stock of animals in quarters satisfactory to the Society, that are,
 - (a) sanitary; and
 - (b) well ventilated; and
 - (c) well bedded; and
 - (d) clean; and
 - (e) at a healthful temperature at all times, required for the particular species of animal;
 - (f) adequately lighted to permit,
 - (i) observation of all animals; and
 - (ii) proper housekeeping.
7. Keep the animals,
 - (a) in a clean and healthy condition appropriate to the particular species; and
 - (b) free from infestation, vermin and disease.

8. Keep the animals in cages,
 - (a) that cannot be easily overturned or contaminated; and
 - (b) that are equipped with receptacles for food and water.
9. Keep the animals other than birds in cages having floors of either,
 - (a) solid construction including metal or other impermeable surface; or
 - (b) wire mesh,
 - (i) with spaces between the wire mesh smaller than the pads of the animal confined therein; and
 - (ii) of a sufficient thickness to support the weight of the animal, without bending; and
 - (iii) so designed to prevent injury to a confined animal.
10. Keep birds in cages having removable metal or other impermeable bottoms of adequate size.
11. Use only cages, containers, or receptacles sufficient in size and height to permit an animal, other than a bird, confined therein to,
 - (a) stand normally to its full height; and
 - (b) turn around easily; and
 - (c) to move about easily for the purpose of maintaining its physical well-being; and
 - (d) to lie down in a fully extended position.

12. Permit not more than 20 Budgerigars or Canaries or twenty-five Finches to be contained in a single cage with minimum dimensions of 68.6 cm. (27 in.) by 40 cm. (16 in.) by 78.7 cm. (31 in.).
13. Permit not more than 15 Budgerigars or Canaries or twenty Finches to be contained in a single cage with minimum dimensions of 60 cm. (24 in.) by 35 cm. (14 in.) by 40 cm. (16 in.).
14. Each cage containing birds shall be of sufficient size and dimensions to enable each bird to have an amount of perch space for itself which will permit the bird to fully extend its wings in every direction from its perch.
15. Clean and wash the floor or cage bottom thoroughly at least once each day or more often as may be necessary to comply with regulation 5.
16. Locate all animals, other than fish, in cages in the pet shop in such a way as to provide for,
 - (a) maximum comfort to satisfy the known and established needs for a particular species; and
 - (b) safeguards to prevent extreme environmental changes; and
 - (c) preventing undue direct physical contact with the general public.
17. Provide drinking water to animals at least once each day including Sundays and holidays and more often as may be necessary.

18. Maintain a supply of potable water at all times readily available to the animals other than fish.
19. Feed each animal requiring a daily intake of food at least once every 24 hour period including Sundays and holidays, as may be applicable for each species.
20. Provide food for each animal of sufficient nutritive content for the health and well-being of the species.
21. Not confine incompatible species of animals in the same cage.
22. Display any animal in a shop or display window,
 - (a) only at the rear of the windowed space; and
 - (b) out of draughts; and
 - (c) out of the rays of the sun.
23. Not sell or offer for sale any animal for use as a pet before its normal weaning age.
24. Not sell or offer for sale any animal for use as a pet that is dyed or to which dye has been applied either externally or through ingestion.
25. Not sell or offer for sale chicks, ducklings, or other live poultry.
26. Not sell or offer for sale chicks, ducklings, or other live poultry as a bonus to a sale or part of a sale of any other goods, products, or services.

27. Keep for sale, sell or offer for sale only animals that are not,
 - (a) non-human primates;
 - (b) North American animals, excluding fish, that are,
 - (a) wild by nature; or
 - (b) on the endangered species list,unless the animals were bred in captivity
28. Not sell or offer for sale any sick or diseased animal.
29. Not sell or offer for sale any animal that exhibits,
 - (a) obvious signs of infectious disease, including distemper, hepatitis, leptospirosis and rabies;
 - (b) obvious signs of nutritional deficiencies including rickets and emaciation;
 - (c) obvious signs of severe parasitism sufficient to influence the general health of the animal;
 - (d) obvious fractures or congenital deformities affecting the general health of the animal.
30. Provide for the examination and treatment of each animal in a separate quarantine area within 24 hours of the onset of the sickness or disease referred to in paragraph 28 or the obvious signs referred to in paragraph 29, by a Veterinarian or qualified person experienced in the care and treatment of the species concerned.

31. Sell or offer for sale only animals that are not exotic animals or wild animals, except exotic animals that have been imported under existing legislation and which have met the provisions of the Health of Animal Division of the Department of Agriculture.
32. Keep a register in the English language, written in ink in plain legible handwriting, containing the following information, entered into the register at the time an animal comes into the possession of the pet shop keeper;
 1. Name and address of supplier or other person from whom the animal is purchased or otherwise obtained.
 2. Date of purchase and sale of the animal or other acquisition.
 3. A full description of,
 - (a) each dog and cat;
 - (b) each shipment or supply of animals other than dogs and cats.
33. Retain the register in good condition for a period of 12 months after each transaction.
34. Not mutilate or destroy the register.
35. Give to each person who purchases a dog or cat,
 - (a) a receipt containing the following information,
 1. name and address of the vendor and purchaser;
 2. date of sale;

3. sale price;
 4. breed or crossbreed;
 5. sex, age and description, including colour and placing of markings, if any;
 - (b) a valid certificate of health from a Veterinarian;
 - (c) a licence application.
36. Notify the Society, in writing, not later than the 10th day of each month, of the number of dogs and cats sold in the preceding month.
6. The fee required to be paid in accordance with section 2 of this Schedule shall be as follows:
1. Pet Shop Keeper.....\$15.00.
By-law No. 79-145, S.6.

S C H E D U L E 24

BAKE SHOPS

Application for Licence

1. Application for a licence to conduct a bake shop may be made to the City Council in writing, delivered to the City Clerk, and such licences may be granted by the City Council under the provisions of this by-law.

Certificate of Medical Officer

2. No such licence shall be issued until the medical officer gives a certificate that all regulations and conditions have been fully complied with.

3. The amount of the licence fee for a licence granted under this Schedule should be as follows:

1. For conducting a bake shop.....\$10.00.
By-law No. 75-335, S.1, Sched. A, para. 5

S C H E D U L E 25

DRY CLEANING ESTABLISHMENTS, ETC.

Licence Required and Payment of Fee

1. No person shall, in the City of Hamilton, without first paying the amount of the licence fee and obtaining a licence under this by-law, entitling him so to do, use any land,

- (a) for the purpose of the business of dry cleaning, dry dyeing or cleaning and pressing, including spotting or stain removing; or
- (b) for the purpose of the business of spotting or stain removing; or
- (c) for the purpose of receiving articles or goods to be subjected to any such process hereinbefore in this Schedule mentioned; or
- (d) for the purpose of the distribution of articles or goods that have been subjected to any such process aforesaid.

2. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

- 1. For use of land for the purpose of the business of dry cleaning, dry dyeing or cleaning and pressing including spotting and stain removing.....\$30.00.
- 2. For use of land for the purpose of the business of spotting or stain removing, or for the purpose of receiving articles or goods to be subjected to any such

process hereinbefore in this paragraph mentioned, for the purpose of distribution of articles or goods that have been subjected to any such process, or for all or any of such purposes in this clause mentioned.....\$15.00.

By-law No. 75-335, S.1, Sched. A, para. 17

S C H E D U L E 26

STORAGE OF PETROLEUM AND OTHER
DANGEROUS OR INFLAMMABLE SUBSTANCES

Licence Required and Payment of Fee

1. (1) No person shall, in the City of Hamilton, without first paying the amount of the licence fee and obtaining a licence under this by-law, entitling him so to do, store petroleum, naphtha or other dangerous or combustible, inflammable or explosive substance in quantities of more than twenty-five pounds.

(2) Subsection 1 does not apply to motor fuel lawfully stored in an underground tank in a public garage under licence pursuant to this by-law, or to explosive lawfully stored in a magazine under licence granted pursuant to a by-law of the City Council, or to explosive lawfully kept temporarily, under a permit from the building commissioner.

2. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. Except as provided in paragraphs 2 and 3, for storage of petroleum, naphtha, or other dangerous or combustible, inflammable or explosive substance in quantities of more than twenty-five pounds.....\$200.00.

By-law No. 79-164, S.1

2. Paragraph 1 does not apply to motor fuel lawfully stored in an underground tank in a public garage the operation of which is licensed under this by-law, or to explosive lawfully stored in a magazine pursuant to a licence granted by the City Council, or to explosive lawfully kept temporarily, under a permit from the building commissioner.

3. The licence fee shall not exceed \$25.00 a month, for every month in which such business is carried on, and, where such business is discontinued before the normal expiration date of the licence, refund shall be made accordingly.

SCHEDULE 27

LAUNDRIES AND LAUNDRETERIAS, ETC.

Licence Required and Payment of Fee

1. (1) No person shall, in the City of Hamilton, without first paying the amount of the licence fee and obtaining a licence under this by-law entitling him so to do, carry on the business of a laundry.

(2) Subsection 1 shall not apply to or include women carrying on laundry business in private dwelling houses and employing female labour only, or to such dwelling houses.

(3) No person shall, in the City of Hamilton, without first paying the amount of the licence fee and obtaining a licence under this by-law entitling him so to do, carry on the business of making available to the public the use of any of the following services or machines, namely, laundretérias and washing machines, dryers and dry cleaning machines for use by the public, including coin-operated washing machines, dryers and dry cleaning machines.

2. The operator of every business of making available to the public the use of any of the following services, or machines, namely, laundretérias and washing machines, dryers and dry cleaning machines for use by the public, including coin-operated washing machines, dryers and dry cleaning machines, shall be responsible to see that there is posted up with the licence certificate a notice signed by him and giving his name, address and telephone number, and the name, address and telephone number of the employee or agent who is in charge of the particular premises, if that person is other than the operator. By-law No. 67-95, S.1.

3. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For carrying on the business of a laundry
.....\$30.00.
By-law No. 75-335, S.1, Sched. A, para. 34
2. For carrying on the business of making
available to the public the use of any
of the following services or machines,
namely, washing machines, dryers and dry
cleaning machines for use by the public,
including coin-operated washing machines,
dryers and dry cleaning machines
.....\$25.00.

S C H E D U L E 28

LODGING HOUSES

Interpretation

1. In this by-law, "lodging house" means a lodging house as defined in the licensing provisions of The Municipal Act, and where sleeping accommodation is provided for four or more lodgers; and for the purposes of this by-law are four or more lodgers; and for the purposes of this by-law are classified as follows, namely:

- (a) "hostel", which means a lodging house where men only or women only are harboured, received or lodged for hire for a single night or for less than a week at one time, except a hotel, tourist home, private hospital or nursing home;
- (b) Appendix "A", section 1, para. 5;
- (c) "ordinary lodging house", which means a lodging house primarily intended or used as a dwelling, where persons are harboured, received or lodged for hire by the week or more than a week, but not for any period of less than a week, and are accommodated without any separate kitchen, kitchenette or kitchen sink, but excepting a hotel, private hospital, public or private home for the aged, children's home or boarding school;
- (d) "tourist home", which means a lodging house primarily intended or used as a dwelling, but where men and women are harboured, received or lodged for hire for a single night or for less than a week at one time, except a hotel, motel, private hospital or nursing home; and

- (e) "unclassified lodging house", which means any lodging house not hereinbefore classified, the licensing of which by the council of a local municipality is authorized by the provisions of The Municipal Act.

Licence Required

2. (1) No person shall, in the City of Hamilton, without first paying the amount of the licence fee and obtaining a licence under this by-law, entitling him so to do, keep a lodging house.

(2) Any licence granted shall specify for what class or classes of lodging house it is granted, and no person shall carry on any class of lodging house for which he has not been granted a licence.

Miscellaneous Requirements for All Lodging Houses

3. (1) Every lodging house shall be so designed, constructed and equipped as to be suitable in all respects for the purpose for which it is used or intended to be used, and, without restricting the generality of the foregoing,

- (a) For every seven persons residing in a lodging house there shall be one water closet, one wash basin and one bath tub or shower bath in a separate room or compartment, and, for an additional fraction of seven, one water closet and one wash basin in a separate room or compartment.

(2) The operator of every lodging house shall be responsible,

- (a) That the building and all facilities are maintained and used in accordance with the standards hereinbefore provided, and

that the same and all equipment furniture and furnishings are kept in good repair and in clean and sanitary condition, and that the normal use of all required facilities is available to all lodgers at all times;

- (b) That all required means of egress are kept at all times unobstructed and properly lighted;
- (c) That every bedstead is of metal, and is set up only in a suitable bedroom or dormitory, and that all bedding is at all times in clean and sanitary condition and otherwise suitable;
- (d) That no room used for sleeping accommodation is used in such manner as to provide less than 600 cubic feet of air space and 75 square feet of floor space for each person of 16 years of age or over, or less than 480 cubic feet and 50 square feet of floor space for each person under the age of 16 years;
- (e) That every required window is readily openable, whether there is mechanical ventilation or not;
- (f) That there is available at all times a supply of running hot water to all required facilities for running hot water, from an adequate and suitable hot water tank connected wherever such water supply is available, to the water supply of the city corporation;
- (g) That there is provided at all times an adequate supply of clean towels for each individual, and other customary toilet supplies, and that all water-closet accommodation and toilet accommodation is provided without extra charge;

- (h) That from the first day of October until the 23rd day of May following, and at all other times when heating may be reasonably necessary for the preservation of health, the temperature of all rooms and halls shall be maintained at not less than 70° Fahrenheit between eight o'clock in the forenoon and ten at night, and not less than 65° Fahrenheit between ten o'clock at night and eight in the morning;
- (j) That a register is kept of all residents, showing the name, sex and approximate age of each lodger, and the date of his admission and departure;
- (k) That there is posted up with the licence certificate a notice signed by him and giving his name, address and telephone number, and the name, address and telephone number of the employee or agent who is in charge of the particular premises, if that person is other than the operator. By-law No. 67-95, S.2.

(3) The operator of every lodging house shall be responsible that every case of communicable disease or death of any lodger is promptly reported to the medical officer of health.

Inspection

4. The medical officer of health and the chief fire prevention officer may at all reasonable times make inspection of any lodging house and of the record book required to be kept and either of the said officials may delegate such duty to any competent subordinate; and any member of the police force delegated to such duty may at all reasonable times make inspection of any tourist home and of the record book required to be kept, and may at all reasonable times when occasion may require, make similar inspection of any other lodging house and record book. By-law No. 10729, S.1,2.

5. to 18. Appendix "A".

19. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For keeping any class or classes of lodging house.....\$100.00.

By-law No. 75-335, S.1, Sched. A, para. 32

S C H E D U L E 29

MASSAGISTS

Licence Required and Payment of Fee

1. No person shall, in the City of Hamilton, without first paying the amount of the licence fee and obtaining a licence under this by-law, entitling him so to do, engage in the occupation of a massagist.

1a. No licence shall be issued until the applicant applying for a licence produces satisfactory proof that the applicant is registered for the year during which the licence is in force with the Board of Directors of Masseurs.
By-law No. 70-294, S.1.

2. Every massage parlour shall be sufficiently suitable for the purpose, and the operator of the same shall be responsible that it is open for inspection at all reasonable times, by the medical officer or by a sanitary inspector acting under his instructions.

3. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For engaging in the occupation of
massagist.....\$15.00.

By-law No. 75-335, S.1, Sched. A, para. 35.

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S C H E D U L E 29.1

MILK VENDORS

Repealed. By-law No. 77-37, S.1.

S C H E D U L E 30

PAWNBROKERS

Application for Licence

1. Application for a licence to exercise the trade of a pawnbroker may be made to the City Council in writing, delivered to the city clerk, and such licences may be granted by the City Council under the provisions of this by-law.

2. No licence certificate for a licence granted under the provisions of this Schedule shall be issued except under the hand of the city treasurer, acknowledging receipt of the amount of the licence fee prescribed by The Pawnbrokers Act, and of the security required by the said Act to be furnished to the municipality to the satisfaction of the city treasurer.

3. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For exercising the trade of pawnbroker
.....\$200.00.
By-law No. 75-338, S.1.

S C H E D U L E 31

PUBLIC BATHS

Licence Required

1. No person shall, in the City of Hamilton, keep any class or classes of public bath premises operated for profit, without first paying the amount of the licence fee and obtaining a licence under this by-law, entitling him so to do.

2. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For keeping any class or classes of bath premises operated for a profit.....\$50.00.
By-law No. 75-335, S.1, Sched. A, para. 42.

S C H E D U L E 32

PUBLIC GARAGES

Interpretation

1. In this by-law,
 - (a) "public garage" means a public garage within the meaning of the licensing provisions of The Municipal Act.
2. (1) No person shall in the City of Hamilton, carry on the business of a public garage without first paying the amount of the licence fee and obtaining a licence under this by-law, entitling him so to do.
 - (2) Every person required to obtain a licence under this Schedule shall be required to obtain a separate licence with respect to every class of public garage carried on, and with respect to every separate premises.
 - (3) Every licence is personal to the holder thereof and is not transferable.

Classes of Licence

3. (1) Any licence granted may be to entitle the licensee to carry on only such class or classes of public garage as may be specified, and the licensee shall not be entitled to carry on or engage in any class of public garage for which he has not been granted a licence.
 - (2) The various classes of public garage shall be as follows:
 - (a) a building or place where motor vehicles are stored or kept for sale;

- (b) (i) a building or place used as a motor vehicle repair shop, including body and fender repairs;
- (ii) a building or place used as a motor vehicle repair shop excepting body and fender repairs; and
- (iii) a building or place used as a motor vehicle repair shop for body and fender repairs only;
- (c) an automobile service station within the meaning of the licensing provisions of The Municipal Act, or a building or place where gasoline or oils are stored or kept for sale, except a retail store where any such gasoline or oils are sold in sealed containers only;
- (d) a parking station or a parking lot;
Provided that the renting of parking space for not more than five motor vehicles, by the operator of an automobile service station licensed as such under this by-law shall not be deemed to bring any such automobile service station within this class;
- (e) a building or place used for washing or cleaning motor vehicles, excepting a licensed public garage without special equipment capable of washing or cleaning more than fifty motor vehicles in one day.

3a. (1) For the purpose of clause (e) of section 3, "car wash" means a building or place used for washing or cleaning motor vehicles.

(2) "car wash, manual", shall mean a vehicle wash wherein the motor vehicle does not move during washing or is washed only manually by a person but without insertion of a coin into a vending machine or receptacle to commence or continue the washing process.

(3) "car wash, mechanical", shall mean a vehicle wash wherein the vehicle is driven or towed into the washing bay and does not move during any one or more phases of the washing process and is washed by equipment that is stationary or moves about the vehicle, but without the insertion of a coin into a vending machine or receptacle to commence or continue the washing process.

(4) "car wash, coin-operated", shall mean a vehicle wash wherein the vehicle is washed either manually or mechanically only upon the insertion of a coin in a vending machine or receptacle to commence or continue the washing process.

(5) "car wash, high-speed mechanical", shall mean a vehicle wash wherein the vehicle is moved by, on, or along a conveyor system during different phases of the washing process.

Application for Licence

4. (1) Every application for a public garage licence shall be in writing and shall show the applicant's name and postal address, the name and address of the public garage or proposed public garage, the class or classes of licence applied for, and a sufficient description of the premises used or proposed to be used, together with sufficient particulars of his arrangements for carrying on the business, and shall be made to the City Council by filing it at the office of the city clerk, together with six true copies.

(2) Save where a similar licence was in force for the previous year with respect to the same premises and there is no change in the relevant information, the application shall be accompanied by a satisfactory plot plan signed by the applicant, with six true copies, based on a registered plan of survey if any, and otherwise in accordance with the actual property lines, drawn to a scale of ten feet to the inch where the area of the site is 25,000 square feet or less, and otherwise to a scale of twenty feet to the inch.

(3) In the case of a parking lot, the plan shall be substantially in accordance with the form of plot plan and showing,

- (a) Location of the premises, position of adjacent street lines, sidewalks, boulevards, fire hydrants, poles and driveways, and the position and type of use of adjacent buildings, structures and premises, all according to scale and including an indication of the north point;
- (b) The drainage system and type and specifications of surfacing of all outdoor areas to which motor vehicles will have access, together with complete grade levels and the location and dimensions of all catch-basins and other drainage facilities, the location and dimensions of all fuel pumps and islands, and of all barriers, signs, poles, trees, buildings, structures and things above the level of the paving, and of all access driveways, manoeuvring space and parking spaces, entrances, exits and ramps;
- (c) In the case of any building or structure, the location of the vehicular and pedestrian entrances and exits, the entrance and exit driveways, the location and grade of ramps within the premises giving access to or from the ground level, the location and size of receiving and exit areas, and where parking tickets or car washing tickets are to be issued, the location and nature of ticket-issuing points; and
- (d) Landscaping where such is required by Zoning By-law No. 6593 and any amendments thereto.

(4) The form of every plot plan other than one for a parking lot shall also be in accordance with the scale and general principles above provided for parking lots.

Where Business Not Started
in Year Licence Granted

5. Whenever a licence has been granted for any public garage and the business so authorized has not yet been commenced as a regular business within one calendar year following the issuing of the licence, a public garage licence shall not again be issued for the location in question unless and until a new application has been made and the circumstances of the delay dealt with in a report to City Council accompanying the application for a new licence; and in the case of every public garage licence issued, the following words shall appear on the face of the licence:

"If the business authorized by this licence has not been commenced on a regular basis within twelve months from date of issue, a new licence will not be issued until the circumstances of the delay have been reviewed by the City Council."

Miscellaneous Regulations for All Public Garages

6. (1) Every public garage shall be so designed, constructed and equipped as to be suitable in all respects for the purposes for which it is used or intended to be used, and without restricting the generality of the foregoing,

- (a) All grades and drainage facilities shall be such as to prevent drainage to any street, sidewalk or other adjoining land;
- (b) All lighting facilities shall be such as not to cause annoyance from direct glare, to persons on the street or on adjoining land;
- (c) All means of ingress and egress shall be in accordance with the plans submitted with the application for licence, or as subsequently authorized and, wherever there is a public sidewalk or curb, shall be by means of an approach ramp installed in accordance with the provisions of the Streets By-law; and

- (d) Every sign shall be so located, and shall have such content, colour and design as not to create any unusual hazard or confusion to any pedestrian or to any driver of a motor vehicle.

(2) The operator of every public garage shall be responsible,

- (a) that all signs and required facilities are maintained in conformity with the requirements hereinbefore set forth;
- (b) that save as may be otherwise lawfully authorized by a licence to use part of the boulevard for the parking of vehicles and motor vehicles, no part of any street public lane or other public place is used for the parking or manoeuvring of motor vehicles, or in any other manner as if it were part of the public garage premises;
- (c) that there is no outside storage except of whole motor vehicles in operating condition;
- (d) that the premises are kept in an orderly and clean condition, without any scrap, debris or refuse left lying about; and
- (e) that prompt report is made to the chief constable, of any motor vehicle which he may have reason to suspect is either stolen or abandoned.

Additional Requirements for Parking Stations and Parking Lots

7. (1) Every parking station and parking lot shall be so designed, constructed and equipped as to be suitable in all respects for the purposes for which it is used or intended to be used, and, without restricting the generality of the foregoing,

- (a) All outside areas to which motor vehicles will have access shall be suitably surfaced with,
 - (i) hot-mix asphalt on macadam base; or
 - (ii) asphalt penetration top on macadam base; or
 - (iii) concrete; or
 - (iv) crushed stone or slag suitably treated so as to make it dust-free, and to prevent it from spilling or spreading into any street or other adjoining land; or
 - (v) other as suitable material;
- (b) Save as may be otherwise lawfully authorized by a licence to use part of the boulevard for the parking of vehicles and motor vehicles, all parking spaces and all outside areas to which motor vehicles have access, except exits and entrances, shall be provided with barriers at least twenty inches high, so designed, constructed, located and otherwise suitable as to prevent any part of a motor vehicle from projecting over any part of a street, public lane or other public place, or within three inches of the boundary of any other adjoining land;
- (c) There shall be provided at each entrance where it may readily be seen by every driver of a motor vehicle about to enter the premises, a suitable sign no nearer to the ground than seven feet, and no farther from the ground than twelve feet, bearing in clear and legible letters and figures no less than four and no more than twelve inches high, the name of the operator, his business address, and the hours and rates for the parking of motor vehicles; and
- (d) There shall be provided the required sanitary facilities except where the medical officer of health is satisfied that they are not necessary and has given a written waiver which remains unrevoked.

(2) The operator of every parking station and parking lot shall be responsible,

- (a) that all signs and required facilities are maintained in conformity with all applicable provisions hereinbefore set forth;
- (b) that every entrance, exit, and access aisle is kept unobstructed for its full length and width, and that all entry, parking and discharge of vehicles is conducted only as indicated on the plans submitted with the application for licence or as subsequently authorized;

Provided that this clause shall not be deemed to prohibit a suitable ticket office or automatic control device which does not contribute to congestion or unreasonably obstruct any means of ingress or egress;

- (c) that except in the case of a metered or automatically controlled parking station or parking lot, a competent attendant is on duty at all times during business hours as indicated on the sign;
- (d) that while no parking spaces are available, a suitable notice announcing that fact is prominently displayed at the entrance; and
- (e) that no person is allowed to loiter about the premises.

Additional Requirements for Sales Lots

8. (1) Every place where motor vehicles are stored or kept for sale shall be so designed, constructed and equipped as to be suitable in all respects for the purposes for which it is used or intended to be used, and, without restricting the generality of the foregoing,

- (a) All outside areas to which motor vehicles will have access shall be suitably surfaced with asphalt or concrete, or with crushed stone or slag or other as suitable material so treated as to make it dust-free and prevent it from spilling or spreading onto any street or other adjoining land; and
- (b) Save as may be otherwise lawfully authorized by a licence to use part of the boulevard for the parking of vehicles and motor vehicles, all parking or storage areas shall be equipped with barriers as hereinbefore required for a parking lot, so designed, constructed and located, and otherwise suitable, as to prevent any part of a motor vehicle from projecting over any part of a street allowance or public lane, or within three inches of the boundary of any other adjoining land.

(2) The operator of every place where motor vehicles are stored or kept for sale shall be responsible,

- (a) that all signs and required facilities are maintained in conformity with all applicable provisions hereinbefore set forth.

Additional Requirements for Car-Washing Establishments

9. Every building or place used for washing or cleaning motor vehicles, except a licensed public garage without special equipment capable of washing or cleaning more than fifteen motor vehicles in one day, shall be in all respects suitable for the purpose, and, without restricting the generality of the foregoing,

- (a) Wash-racks. Every wash-rack and other equipment for washing or cleaning motor vehicles, except steam-cleaning equipment, shall be located within a building; and

(b) Surfacing. All outside areas to which motor vehicles will have access shall be suitably surfaced with,

(i) hot-mix asphalt on macadam base;
or

(ii) concrete; or

(iii) other as hard-surfaced and otherwise suitable material not including uncemented crushed stone or slag.

10. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For a public garage that is a building or place where motor vehicles are stored or kept for sale (Garage A).....\$50.00.
By-law No. 75-335, S.1, Sched. A, para. 23
2. For a public garage that is a building or place used as a motor vehicle repair shop, including body and fender repairs (Garage B1)\$20.00.
By-law No. 75-335, S.1, Sched. A, para. 24
3. For a public garage that is a building or place used as a motor vehicle repair shop, except body and fender repairs (Garage B2)\$10.00.
By-law No. 10467, S.7, para. 11(b)(ii)
4. For a public garage that is a building or place used as a motor vehicle repair shop for body and fender repairs (Garage B3)\$10.00.
By-law No. 75-335, S.1, Sched. A, para. 25

5. For a public garage that is an automobile service station within the meaning of the provisions of paragraph 131 as defined in clause a of paragraph 132 of section 354 of The Municipal Act, Revised Statutes of Ontario, 1970, Chapter 284, or a building or place where gasoline or oils are stored or kept for sale, except a retail store where any such gasoline or oils are sold in sealed containers only,
- (a) with one service hose for supplying motor fuel to purchasers (Garage C)
.....\$10.00;
 - (b) for each additional service hose (Garage C).....\$10.00.
- By-law No. 75-335, S.1, Sched. A, para. 26

6. For a public garage that is a parking station or a parking lot (Garage D).....\$15.00.

Provided that an automobile service station with no more than five parking spaces for hire shall not be deemed to be a parking station or parking lot within the meaning of this section.

By-law No. 75-335, S.1, Sched. A, para. 27

7. For a public garage that is a building or place used for washing or cleaning motor vehicles (Garage E).....\$15.00.

Provided that a licensed public garage not having special equipment capable of washing or cleaning more than 15 motor vehicles a day shall not be deemed to be a building or place used for washing or cleaning motor vehicles within the meaning of this section.

By-law No. 75-335, S.1, Sched. A, para. 28

S C H E D U L E 33

PERSONS WHO STORE, TRANSPORT
OR USE EXPLOSIVE

Application of Schedule

1. (1) The provisions of this Schedule do not apply,
- (a) to any explosive in the possession of The Department of National Defence;
 - (b) to any explosive in the possession of any federal, provincial, or municipal police officer acting in the performance of his duties;
 - (c) to any explosive in transit in the lawful possession of a carrier licensed under any Act;
 - (d) to any explosive being transported or used within any factory premises in connection with any lawful industrial process, by an employee acting in the course of his regular employment;
 - (e) to gunpowder in a quantity of not more than twenty-five pounds, kept in accordance with good practice and solely for lawful private use; or
 - (f) to small arms ammunition or fireworks in retail quantity.

(2) No licence under this Schedule is required for the temporary storage of explosive by a building contractor at a construction site pursuant to and in accordance with a permit issued by the building commissioner under the provisions of The Building By-law.

Licence Required

2. (1) Save as herein otherwise provided, no person shall transport, store, keep, have or use any explosive without a licence under this by-law, entitling him so to do.

Provided that the foregoing shall not be deemed to prohibit a bona fide apprentice in regular employment as such, from using explosive under the direction and supervision of, and in the presence of, a person licensed under this by-law to use explosive.

(2) A separate licence shall be required with respect to each vehicle used to transport explosive and it shall be an offence against this by-law to transport explosive in any unauthorized vehicle.

(3) A separate licence shall be required with respect to each location for the storing, keeping or having of explosive, and it shall be an offence against this by-law to store, keep or have explosive in any unauthorized premises.

(4) Every licence is personal to the holder thereof and is not transferable.

Application For Licence and Duties of Officers

3. (1) Every application for licence shall be accompanied by a receipt from the chairman of the examining board for the amount of the examination fee, which is hereby fixed at \$7.50.

(2) Where the application is for a licence to store explosive, the report of the Issuer of Licences to the Secretary of the Committee shall include a report from the building commissioner as to the compliance or non-compliance of the premises with the requirements of The Building By-law, which report shall be furnished by the building commissioner to the Issuer of Licences upon request.

(3) Where the application is for a licence to transport explosive, the report of the Issuer of Licences shall include a report from the building commissioner as to the compliance or non-compliance of the vehicle with the requirements of The Building By-law, and a report from the Chief Constable as to the identity of the vehicle and its operating condition, which said reports shall be furnished by these officials upon request.

(4) Where the applicant was the holder of a similar licence for the previous year, and there is no change in the relevant information, he need not comply with the provisions of this section unless requested to do so.

Examining Board

4. (1) The examining board shall consist of five members, namely:

- (a) the building commissioner or a qualified member of his staff delegated to that duty, as chairman;
- (b) the chief fire prevention officer or a qualified member of his staff delegated to that duty; and
- (c) three other persons appointed by the City Council after recommendations have been received from the building commissioner, but no paid representative of a union shall be appointed to the examining board.

(2) The members of the examining board shall hold office for the balance of the calendar year in which they have been appointed and until their successors have been appointed, unless sooner removed by the City Council, and shall receive such remuneration for their services as may from time to time be fixed by the City Council.

(3) The examining board shall meet monthly when there is any applicant to be examined, and three members shall constitute a quorum, and the applicant shall be notified by the chairman of the time and place of the examination.

(4) The examining board shall not be required to conduct any examination unless and until the examination fee of \$7.50 has been paid to the city treasurer.

(5) It shall be the duty of the examining board to send by ordinary mail the results of every examination to the applicant, within two weeks following the examination.

(6) The examining board shall not be required to examine any applicant in any language other than English, or to receive or entertain any application for an examination within a period of less than three months following the failure of the applicant to pass a previous examination for a similar licence.

Licence Certificate

5. Every licence certificate shall show on its face the class of licence granted, the name and address of the licensee and the expiration date of the licence, and

- (a) in the case of a licence for storing explosive, a sufficient description of the premises authorized to be used, and the kinds and quantities of explosive authorized to be stored there;
- (b) in the case of a licence for transporting explosive, a sufficient description of the vehicle authorized to be used, and the kind and quantity of explosive which may lawfully be transported therein; and
- (c) in the case of a licence to use explosive, the kind or kinds of explosive which the licensee is entitled to use.

6. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

- 1. For storing, transporting or using explosives.....\$100.00.
By-law No. 75-335, S.1, Sched. A, para. 18

S C H E D U L E 34
BUILDING REPAIRS CONTRACTORS

Interpretation

1. In this Schedule,
 - (a) "building repairs contractor" means a person carrying on the business of a contractor to do chimney repairs, or of altering, repairing or renovating buildings or structures or constructing fallout shelters;
 - (b) "work" includes doing or preparing to do chimney repairs, or altering, repairing or renovating buildings or structures or constructing fallout shelters.
By-law No. 73-283, S.2.

Application of Schedule

2. The provisions of this Schedule do not apply,
 - (a) to any building contractor whose principal business is the construction of buildings or structures; or
 - (b) to work done by any person for his own benefit and not for hire, in or about the single family dwelling in which he resides, and of which, or of the equity of redemption of which he or one of his family residing on the premises is the owner.

Licence Required

3. No person shall carry on in the City of Hamilton, the business of a building repairs contractor without a licence under this by-law, entitling him so to do.

Application for Licence

4. Every application for licence shall specify the class of licence applied for, namely whether to construct fallout shelters or whether to do one or another class or classes of building repairs, and shall show whether the applicant has in the City of Hamilton a place of business where he either is assessed for business tax with respect to such business, or has, before commencing such business, paid the licence fee.

5. Every applicant for a building repairs contractor's licence shall,

- (a) complete an application in Form 1, hereto annexed as Schedule "A"; and
- (b) provide such information as may be required by the City Corporation and comply with all instructions in Form 1;
- (c) Repealed. By-law No. 74-53, S.1.
By-law No. 73-283, S.1

6. (1) Before commencing any work a building repairs contractor shall enter into a written contract in duplicate with the person for whom work is to be done, to be duly executed by the building repairs contractor and such person.

(2) The contract shall be in Form 2, hereto annexed as Schedule "B".

(3) Where extra, additional or other work not otherwise clearly and completely described in the original contract is to be done, the building repairs contractor shall enter into a separate contract in Form 2 covering the extra, additional or other work with the person for whom the work is to be done.

(4) The building repairs contractor shall complete the contract in Form 2 in sufficient and complete detail as to,

(a) the quality and quantity of material;
and

(b) all dimensions and measurements,

relating to the work to be done.

(5) A building repairs contractor, upon request of the person for whom the work has been done, shall furnish an itemized and detailed written and dated bill or invoice for such work.

(6) For the purpose of this by-law, the building repairs contractor shall not amend or otherwise change the content of Form 2.

(7) A building repairs contractor, upon request of the person for whom work may be done or is proposed to be done, shall produce for inspection by that person, an identification card provided by the City Corporation to the building repairs contractor on which is a photograph of the licence and other such information as may be prescribed by the City Corporation. By-law No. 73-283, S.2.

7. Section 6 does not apply where the full and final price for the full completion of the work is less than \$50.00. By-law No. 73-340, S.1.

8. (1) The examining board shall consist of four members as follows:

1. Brian Allick.
2. Robert Bradshaw.
3. George Korz.
4. Don McLeod.

(2) The members of the examining board shall hold office for the balance of the calendar year in which they have been appointed and until their successors have been appointed, unless sooner removed by the City Council, and shall receive such remuneration for their services as may from time to time be fixed by the City Council.

(3) The examining board shall meet monthly when there is any applicant to be examined, and three members shall constitute a quorum, and the applicant shall be notified of the time and place of the examination.

(4) It shall be the duty of the examining board to send by ordinary mail, the results of every examination to the applicant, within two weeks following the examination.

(5) The examining board shall not be required to examine any applicant in any language other than English, or to receive or entertain any application for an examination within a period of less than three months following the failure of the applicant to pass a previous examination for a similar licence.

(6) Every applicant for a licence under this Schedule shall first be examined by the examining board on all matters relevant to the trade or occupation for which the application is made, including codes, standards, methods, techniques, skills, equipment, tools and other means of performing the trade or occupation.

(7) No licence shall be issued under this Schedule unless the results of the examination are satisfactory to the examining board. By-law No. 76-213, S.2.

9. Notwithstanding any other provision of this by-law, the City Council may refuse a licence where the past conduct of the applicant, or where the applicant is a corporation, of its officers, affords reasonable grounds for belief that the business for which the licence is sought will not be operated in accordance with the law and with honesty and integrity. By-law No. 76-213, S.2.

10. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

- 1. For chimney repair men and persons engaging in the business of altering, repairing or renovating buildings or structures or constructing radiation fallout shelters
.....\$100.00.

By-laws Nos. 73-350, S.1; 76-213, S.1

FORM 1

SCHEDULE "A"

THE CORPORATION OF THE CITY OF HAMILTON

APPLICATION

BUILDING REPAIRS CONTRACTOR'S LICENCE

1. NAME: _____ AGE: _____
2. ADDRESS (HOME): _____
PHONE: _____
3. ADDRESS (BUSINESS): _____
PHONE: _____
4. MARITAL STATUS: _____
5. Have you a place of business in the City of Hamilton?

6. Location of place of business: _____

7. When did you commence business in the City of Hamilton?

8. How long have you been continuously in business in the
City of Hamilton? _____
9. If you discontinued your business at any time, state for
what period and the reasons therefor: _____

10. What was the nature of your business? _____

11. Did your business involve doing any chimney repairs, or altering, repairing or renovating buildings or structures? Yes: _____ No: _____
12. If Yes, explain: _____

13. Are you a qualified tradesman? _____ If so, name your trade below: _____
14. How long have you been qualified? _____
15. Are you bonded? _____ If so, for what amount are you bonded? _____
16. EDUCATION:
ELEMENTARY: _____
HIGH SCHOOL: _____
OTHER: _____
17. REFERENCES FROM PREVIOUS EMPLOYERS: _____

18. Did you ever hold a building repairs or similar licence before? YES: _____ NO: _____
19. When did you hold the above licence? _____

20. Was your licence ever suspended, cancelled or revoked?

_____ If Yes, state reason why below: _____

I, THE UNDERSIGNED, do solemnly swear that all the answers given above are correct, and do agree that if granted a Building Repairs Contractor's Licence, I will comply with all the rules and regulations set forth by The Corporation of the City of Hamilton, and will serve the public in the best of interest as a licensed Building Repairs Contractor.

_____ Witness

_____ Signature of Applicant

_____ Address of Witness

_____ Date Witnessed

POLICE DEPARTMENT COMMENT: _____

BUILDING DEPARTMENT COMMENT: _____

- NOTE:
1. If the applicant is a Corporation, the application must be made in the name of the Corporation and the signature must be that of a duly authorized representative or agent of the Corporation.
 2. If the applicant is a partnership, the names and addresses of all partners must be set out in the application, and the application must be signed by one of the partners.
 3. All other persons must apply in their individual and personal name.

FORM 2

SCHEDULE "B"

CONTRACT

Name, address and telephone number of Building Repairs Contractor

CITY OF HAMILTON LICENCE NUMBER

Date:

TO: (Name and address of person for whom the work is to be done)

RE: (Address where work is to be done)

1. We offer to furnish all materials and labour necessary to complete the following:

2. The following is a description of the material which we propose to use to complete the work:

3. We hereby undertake and agree that the work will be completed in a good and workmanlike manner for the purpose for which it is done by:

..... for the sum of \$
(Approximate completion date)

4. Down payment not greater than 10% to be made on acceptance by person for whom work is to be done. Balance of payment to be made on receipt of invoice after completion of work upon the terms agreed by the parties set out on a sheet hereto annexed and forming part of this contract.

Witness

Signature of Building Repairs Contractor (if a Corporation, signature of signing Officer and seal of Corporation is to be affixed)

Address of Witness

Date Witnessed and Signed

ACCEPTANCE

5. I/We hereby accept the above offer and authorize you to proceed with the above work in accordance with the above terms.

Witness

Signature of person for whom work is to be done

Address of Witness

Date Witnessed and Signed

6. The contract comes into force on the date it is accepted.

NOTE: One copy of this contract signed by both parties and witnessed is to be delivered to the person for whom the work is to be done before any work is done. The one copy signed by both parties is to be retained by the Building Repairs Contractor. The witness must be a person other than a party to the contract. If insufficient space for numbers 1 and 2, above, attach additional sheets containing required information. By-law No. 73-340, S.2.

S C H E D U L E 35

DRAIN AND SEPTIC TANK INSTALLERS AND REPAIRERS

Interpretation

1. In this Schedule,

- (a) "drain work" means and includes any work of drain laying, septic tank installing, drain reconstruction or repairing, or removing tree roots or other obstructions from drains or private drain connections by mechanical or other means;
- (b) "contractor of drain laying" or "contractor" means a person carrying on the business of drain work;
- (c) "examining board" means the examining board appointed under the provisions of this Schedule;
- (d) "journeyman drain layer" or "journeyman" means a person other than a master, who has been employed in performing drain work and has acquired sufficient skill and knowledge of the trade to be considered a safe and responsible mechanic;
- (e) "master of drain laying" or "master" means a person who is skilled in the planning, superintending and performing of drain work and is familiar with the laws, rules and regulations governing the same.

Application of Schedule

2. (1) The provisions of this Schedule shall not apply to persons engaging in drain work as employees of a public service commission or corporation, or to persons engaging in drain work only as follows, namely:

- (a) Work done on the facilities of any water or sewage pumping or treatment plant, by regular employees thereof under competent direction and supervision;
- (b) Work done on any underground pipe line for the transmission of steam, oil, gas or other fluid by regular employees of the owner of the pipe line under competent direction and supervision;
- (c) Maintenance work in or about the premises of any factory, or installation of industrial piping or equipment, by regular employees under competent direction and supervision; or
- (d) Drain work done by any person for his own benefit in or about the single family dwelling in which he resides, and of which, or of the equity of redemption of which, he or one of his family residing on the premises is the owner.

(2) The provisions of this Schedule shall not apply to the performance by a plumber licensed under Schedule 6, of any of the following work, namely:

- (a) plumbing or drainage work inside a building whether of metal, tile, plastic or otherwise; or
- (b) cast-iron or other metal plumbing outside a building; or
- (c) installation of septic tanks.

(3) Notwithstanding the provisions of Schedule 6 of this by-law, a licence under this Schedule shall entitle the holder to perform any tile or other non-metal drainage work whether inside a building or out, and also to lay cast-iron and other water mains.

Licence Required

3. (1) Subject to the provisions of section 2, no person shall carry on the business of a contractor of drain laying without a licence under this by-law, entitling him so to do.

Provided that a contractor who is so licensed and who is also granted a master's licence shall not be required to take out a separate licence, but shall be entitled to have it shown on his contractor's licence certificate that he is also licensed as a master of drain laying.

(2) Subject to the provisions of section 2, no person shall engage in drain work as a master without a licence under this by-law, entitling him so to do.

(3) Subject to the provisions of section 2, no person shall engage in the actual performance of any drain work without a licence under this by-law as a master or journeyman, entitling him so to do.

Provided that the foregoing shall not be deemed to prohibit an apprentice or helper from performing drain work under the direct supervision of, and in the presence of, a licensed master or journeyman.

Application for Licence

4. (1) Where the application is for a contractor's licence and the applicant is a partnership or corporation, or a person who is not concurrently applying for a master's licence, the application shall include the name and address of the licensed master who will be in actual charge of the work.

(2) Where the application is for a master's licence, it shall include the applicant's qualifications, which shall be at least two years' experience as a journeyman, and shall be accompanied by a receipt from the chairman of the examining board for the amount of the examination fee which is hereby fixed at fifteen dollars.

(3) Where the application is for a journeyman's licence, it shall include the applicant's qualifications, which shall be at least two years' experience as an apprentice or helper, and shall be accompanied by a receipt from the chairman of the examining board for the amount of the examination fee, which is hereby fixed at five dollars.

Provided that where the applicant was the holder of a similar licence under this by-law or a predecessor thereof for the previous year, and there is no change in the relevant information, the applicant need not comply with the provisions of this section unless requested to do so.

Examining Board

5. (1) The examining board shall consist of three members, namely:

- (a) The City Corporation's chief plumbing inspector or such other person as may be appointed by the City Council, as chairman; and
- (b) Two masters of drain laying appointed by the City Council.

(2) Recommendations of the local association of masters of drain laying for appointments to the examining board will be received by the Committee, but no recommendation for appointment of any paid representative of any union or association will be considered.

(3) The members of the examining board shall hold office for the balance of the calendar year in which they have been appointed and until their successors have been appointed, unless their term is sooner terminated, and shall receive such remuneration for their services as may from time to time be fixed by the City Council.

(4) The examining board shall meet monthly when there is any applicant to be examined, and all reports shall be signed by at least two members.

(5) It shall be the duty of the examining board to send, by ordinary mail, the results of every examination to the applicant within two weeks following the examination.

(6) The examining board shall not be required,

- (a) to examine any applicant in any language other than the English language; or
- (b) to receive or entertain any application for an examination within a period of less than three months following the failure of the applicant to pass a previous examination for a similar licence.

Disqualification of Contractor

6. (1) When the master whose name appears on a contractor's licence certificate is no longer regularly employed and in actual charge of the work, the contractor shall at once notify the City Council in writing delivered to the city clerk, and either furnish the City Council with the name and address of the master who will thenceforward be in charge, or with particulars of his arrangements pending the engaging of a master to be in charge.

(2) It shall also be an offence for any contractor to have any drain work performed when there is not in actual charge of the work a licensed master whose name and address have been furnished to the City Council in writing.

7. (1) Except as provided in subsection 2, the amount of the licence fee for a licence granted under this Schedule for drain contractors, drain layers and persons who instal septic tanks or repair or reconstruct drains, remove tree roots or other obstructions from drains and private drain connections by mechanical or other means, shall be as follows:

1. For contractors, whether qualified as a master or not.....\$100.00.

2. For a master.....\$50.00.

3. For a journeyman.....\$ 5.00.

By-law No. 75-335, S.1, Sched. A, para. 16

(2) A master holding a contractor's licence shall pay the licence fee for only a contractor's licence and shall not be required to pay a fee for a master's licence.

S C H E D U L E 36

ELECTRICIANS

Interpretation

1. In this Schedule,

- (a) "examining board" means the examining board appointed under the provisions of this Schedule.

Application of Schedule

2. (1) Save as hereinafter otherwise provided, the provisions of this Schedule shall apply to all persons engaging in the City of Hamilton, in any of the following electrical work, namely:

- (a) The placing, installing, maintaining, repairing, replacing, or inspecting of any conduits designed for the purpose of enclosing or carrying any electrical conductor for light, heat or power purposes, for any electromotive force equal to or higher than the voltage prescribed in the wiring regulations of the Hydro-Electric Power Commission, between any two conductors and ground, regardless of the characteristics of the current; or
- (b) The placing, installing, maintaining, repairing, replacing, or inspecting of any conductor, switch, attachment, fitting or other elements of any equipment designed for the purpose of supplying electrical service.

(2) The provisions of this Schedule shall not apply to persons engaging in electrical work as employees of a public service commission or corporation, or to persons engaging in electrical work only as follows, namely:

- (a) The insertion of lamps into sockets, the lawful connecting of electricity utilization appliances or equipment by means of attachment plugs, or the use or operation of same, the insertion of fuses for controlling circuits or equipment, or the cartoning, trimming or operation of arc lamps;
- (b) Work done by any person for his own benefit in or about the single family dwelling in which he resides or upon a private garage or other accessory building appurtenant thereto, and of which, or of the equity of redemption of which, he or one of his family residing on the premises is the owner, provided that all such work is in accordance with all the requirements of laws applicable thereto other than this Schedule;
- (c) Work done at his regular place of employment and within the normal scope of the duties of an operating engineer, by a person who is the holder of a certificate of qualification as such, under The Operating Engineers Act;
- (d) Work done on the rolling stock or on the company premises of a railway or other transportation company or firm by regular employees thereof under competent direction and supervision;
- (e) Work done in or about the premises of any factory, by regular employees thereof under competent direction and supervision;
- (f) Work done in or about the premises of any electricity generating or distributing station, by regular employees thereof under competent direction and supervision;
- (g) The erection, installation or maintenance of telephone or other communications equipment by regular employees of the owner or by other specialists; or

- (h) Work done in connection with the placing, installing, maintaining, repairing, replacing or inspecting of special equipment, or other special work, by the manufacturer or by others especially qualified to perform such work, with respect to which a licensed journeyman electrician is not normally possessed or required to be possessed of sufficient skill and knowledge to perform.

Licence Required

3. (1) Subject to the provisions of section 2, no person shall carry on the business of an electrical contractor without an electrical contractor's licence under this by-law, entitling him so to do.

Provided that a licensed electrical contractor who is granted a licence as a master electrician shall not be required to take out a separate licence, but shall be entitled to have it shown on his contractor's licence certificate that he is also licensed as a master electrician.

(2) Subject to the provisions of section 2, no person shall engage in any electrical work as a master, without a licence under this by-law, entitling him so to do.

(3) Subject to the provisions of section 2, no person shall engage in the actual performance of any electrical work without a licence under this by-law as a master electrician.

Provided that the foregoing shall not be deemed to prohibit a bona fide apprentice from performing electrical work under the direct supervision of and in the presence of, a licensed master electrician or journeyman electrician. By-law No. 70-138, S.2.

Application for Licence

4. (1) Where the application is for a contractor's licence and the applicant is a partnership or corporation, or a person

who is not concurrently applying for a master's licence, the application shall include the name and address of the licensed master who will be in actual charge of the work.

(2) Where the application is for a master's licence, it shall include the applicant's qualifications, which shall be at least two years' experience as a journeyman, and shall be accompanied by a receipt from the chairman of the examining board for the amount of the examination fee which is hereby fixed at fifteen dollars.

(3) Repealed. By-law No. 70-138, S.3.

Examining Board

5. (1) The examining board shall consist of the following members:

- (a) A representative of the Hydro-Electric Power Commission's inspection department;
- (b) Two master electricians appointed by the City Council. By-law No. 70-138, S.4.

(2) Recommendations for the above appointments will be received by the Committee, from the chief inspector of the Hydro-Electric Power Commission's inspection department at Hamilton, and from the association or associations of master electricians of the City of Hamilton, but no paid representatives of any union or association of electricians will be considered. By-law No. 70-138, S.8.

(3) The members of the examining board shall hold office for the balance of the calendar year in which they have been appointed and until their successors have been appointed, unless their term is sooner terminated, and shall receive such remuneration for their services as may from time to time be fixed by the City Council, and shall elect their own chairman and secretary in January of each year.

(3.0) Members of the examining board may be appointed for a term of office not exceeding three years.. By-law No. 70-138, S.6.

(4) The examining board shall meet monthly when there is any applicant to be examined, and all reports shall be signed by at least two members.

(5) It shall be the duty of the examining board to send, by ordinary mail, the results of every examination to the applicant and to the representatives designated by the applicant, within two weeks following the examination of any applicant.

(6) The examining board shall not be required,

- (a) to examine any applicant in any language other than the English language; or
- (b) to receive or entertain any application for an examination within a period of less than three months following the failure of the applicant to pass a previous examination for a similar licence.

5a. (1) Where a master electrician licensed by a municipality referred to in subsection 2 files with the examining board a certificate issued by the municipality that he has passed an examination or other evidence satisfactory to the Licence Committee that a licence has been issued by the municipality and is in force, the examining board shall not be required to examine the applicant and the Licence Committee may issue a licence.

(2) For the purpose of this section, "municipality" means the following cities:

1. Brantford.
2. Guelph.

3. Kingston.
4. Kitchener.
5. London.
6. Ottawa.
7. Sudbury.
8. Thunder Bay.
9. Toronto.
10. Windsor.

By-law No. 79-124, S.1

Disqualification of Contractor

6. (1) When the master whose name appears on a contractor's licence certificate is no longer regularly employed and in actual charge of the work, the contractor shall at once notify the City Council in writing delivered to the city clerk, and either furnish the City Council with the name and address of the master who will thenceforward be in charge, or with particulars of his arrangements pending the engaging of a master to be in charge.

(2) It shall also be an offence for any contractor to have any electrical work performed when there is not in actual charge of the work a licensed master whose name and address have been furnished to the City Council in writing.

7. (1) Except as provided in subsection 2, the amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For a contractor, whether qualified as a master or not.....\$100.00.

2. For a master electrician.....\$50.00.
By-laws Nos. 70-138, S.1; 75-335, S.1,
Sched. A, paras. 19,20

(2) A master holding a contractor's licence shall pay the licence fee for only a contractor's licence and shall not be required to pay a fee for a master's licence.

S C H E D U L E 37
HEATING EQUIPMENT INSTALLERS
Interpretation

1. In this Schedule,
- (a) "heating equipment contractor" or "contractor" means a person carrying on business as a contractor for the installation of hot air, hot water or steam heating equipment of any kind;
 - (b) "heating equipment journeyman" or "journeyman", means a person, other than a master, who has been employed in performing the work of installing heating equipment and has acquired sufficient skill and knowledge of the trade to be considered as a safe and responsible mechanic;
 - (c) "heating equipment master" or "master" means a person who is skilled in the planning, superintending and installing of heating equipment and is familiar with the laws, rules and regulations governing the same; and
 - (d) "examining board" means the examining board appointed under the provisions of this Schedule.

Classes of Licence

2. On every licence certificate issued there shall be specified the class or classes of heating equipment in the installation of which the licensee is authorized to engage as contractor, master or journeyman as the case may be, as follows, namely:

- Class A -- Warm Air Heating Equipment, except Stokers, Oil Burners or Gas Burners;
- Class B -- Hot Water or Steam Heating Equipment which is low pressure only, unless high pressure is also specified on the said certificate, but except Stokers, Oil Burners and Gas Burners;
- Class C -- Mechanical Stokers and Over-Fire Jets;
- Class D -- Domestic Oil Burners, Commercial Oil Burners, or Industrial Oil Burners, as the case may be, and specifying whether gravity-fed or pump-fed and any other distinctions of qualification as may be necessary;
- Class E -- Gas Burners for domestic, commercial or industrial heating equipment, as the case may be; and
- Class F -- Any other type of Heating Equipment as may be specified except an oil or gas space heater with no duct or ducts leading therefrom and which contains its own fuel in a tank of a capacity of not more than four Imperial gallons, and excepting also any small cooking or heating stove or other small heat appliance having a capacity for an output of not more than thirty thousand British Therman Units per hour, and conforming in all respects to the requirements of good practice, -- to the installation of which space heater or small cooking or heating stove the provisions of this by-law shall not apply.

Application of Schedule

3. The provisions of this Schedule do not apply to work done by any person for his own benefit and not for hire,

in or about the one-family dwelling in which he resides, and of which, or of the equity of redemption of which he or one of his family residing on the premises is the owner.

Licence Required

4. (1) No person shall carry on the business of a contractor for the installation of any class of heating equipment without a contractor's licence under this by-law, entitling him so to do.

Provided that a licensed contractor who is granted a master's licence shall not be required to take out a separate licence, but shall be entitled to have it shown on his contractor's licence certificate.

(2) No person shall engage in the occupation of a master for the planning, superintending or installing of any class of heating equipment without a master's licence under this by-law, entitling him so to do.

(3) No person shall engage in the actual performance of any work of installing any class of heating equipment without a master's licence or journeyman's licence under this by-law, entitling him so to do.

Provided that the foregoing shall not be deemed to prohibit a bona fide apprentice or helper from performing work of installing any class of heating equipment under the direct supervision of and in the presence of a master or journeyman licensed for the installing of that class of equipment.

Application for Licence

5. (1) Where the application is for a contractor's licence and the applicant is a partnership or corporation, or a person who is not concurrently applying for a master's licence, the application shall include the name and address of the licensed master who will be in actual charge of the work.

(2) Where the application is for a master's licence, it shall include the applicant's qualifications, which shall be at least two years' experience as a journeyman, in the installing of the class of heating equipment in question, and shall be accompanied by a receipt from the chairman of the examining board for the amount of the examination fee which is hereby fixed at fifteen dollars.

(3) Where the application is for a journeyman's licence, it shall include the applicant's qualifications, which shall be at least two years' experience as an apprentice or helper, in the installing of the class of heating equipment in question, and shall be accompanied by a receipt from the chairman of the examining board for the amount of the examination fee, which is hereby fixed at five dollars.

(4) Where an applicant was the holder of a similar licence under this by-law or a predecessor thereof for the previous year, and there is no change in the relevant information, he need not comply with the provisions of this section unless requested to do so; and where an applicant sits for examination more than once in the same calendar year, whether with respect to the same or a different class of heating equipment, he shall not be liable to pay more than one examination fee in the same calendar year.

Examining Board

6. (1) The examining board shall consist of the following members appointed by the City Council, namely:

- (a) one representative of the Warm Air Heating Equipment Contractors of the City of Hamilton, and one representative of the Journeymen;
- (b) one master Steam and Warm Water Heating Equipment Installer;
- (c) one master Oil Burning Equipment Installer;

- (d) one person experienced in the installing of gas burners for domestic, commercial and industrial heating equipment; and
- (e) the Chief Heating and Air Conditioning Inspector of the City of Hamilton as Chairman. By-law No. 10670, S.1.

(2) Recommendations for the above appointments will be received by the property and licence committee, but no paid representative of any union or association of heating equipment installers will be considered.

(3) The members of the examining board shall hold office for the balance of the calendar year in which they were appointed, and until their successors have been appointed, unless sooner removed, and shall receive such remuneration for their services as may from time to time be fixed by the City Council.

(4) The examining board shall meet monthly when there is any applicant to be examined, and all reports shall be signed by at least two members who are qualified to examine with respect to the class or classes of heating equipment in question.

(5) It shall be the duty of the examining board to send, by ordinary mail, the results of every examination to the applicant and to the representatives designated by the applicant, within two weeks following the examination of any applicant.

(6) The examining board shall not be required,

- (a) to examine any applicant in any language other than the English language; or

- (b) to receive or entertain any application for an examination within a period of less than three months following the failure of the applicant to pass a previous examination for a similar licence.

Disqualification of Contractor

7. (1) When the master whose name appears on a contractor's licence certificate is no longer regularly employed and in actual charge of the work, the contractor shall at once notify the City Council in writing delivered to the Issuer of Licences, and either furnish the name and address of the master who will thenceforward be in charge, or with particulars of his arrangements pending the engaging of a master to be in charge.

(2) It shall also be an offence for any contractor to have any work of installing any heating equipment performed when there is not in actual charge of the work a licensed master who is qualified to be in charge of the work of installing that particular kind or class of heating equipment, and whose name and address have been furnished to the City Council.

8. (1) Except as provided in subsection 2, the amount of the licence fee for a licence granted under this Schedule shall be as follows:

- 1. For a contractor.....\$100.00.
 - 2. For a master.....\$ 50.00.
 - 3. For a journeyman.....\$ 5.00.
- By-law No. 75-335, S.1, Sched. A, para. 29

(2) A master holding a contractor's licence shall pay the licence fee for only a contractor's licence and shall not be required to pay a fee for a master's licence.

S C H E D U L E 38

PLUMBERS

Interpretation

1. In this Schedule,
 - (a) "examining board" means the examining board appointed under the provisions of this Schedule.
2. (1) Save as hereinafter otherwise provided, the provisions of this Schedule shall apply to all persons engaging in the placing, installing, maintaining, repairing, replacing or inspecting of any pipe, fixture or other device, equipment or facility of a plumbing system, or in other plumbing work.
 - (a) For the purposes of this section, "plumbing system" shall include water supply of distributing pipes, fixtures and fixture traps, soil, waste and vent pipes, house-drains, storm-water drains and all devices, appurtenances and connections of a plumbing system, whether within or without a building or structure, except on or under a highway.
- (2) The provisions of this Schedule shall not apply to persons engaging in plumbing work as employees of a public service commission or corporation, or to persons engaging in plumbing work only as follows, namely:
 - (a) The placing or changing of washers in faucets or in other fixtures;
 - (b) Work done by any person for his own benefit in or about the single family dwelling in which he resides, or upon a private garage or other accessory building appurtenant thereto, and of which, or of the equity of redemption of which, he or one of his family residing on the premises is the owner, provided that all such work is in accordance with all the requirements of laws applicable thereto, other than this by-law;

- (c) Work done in his regular employment and within the normal scope of his duties, by a person who is the holder of a certificate of qualification as an operating engineer under The Operating Engineers' Act, or by a mechanical engineer;
- (d) Maintenance work done in or about the premises of any factory, or installation of industrial piping or equipment, by regular employees thereof under competent direction and supervision;
- (e) Work done in or about the premises of any water or sewage pumping or treatment plant, by regular employees thereof under competent direction and supervision; or
- (f) Work done on any underground pipe line for the transmission of oil, gas or other fluid by the owner of the pipe line or by his regular employees under competent direction and supervision.

(3) The provision of this Schedule shall not apply to the performance by a drain layer licensed under Schedule 3, of any tile or other non-metal drainage work whether inside a building or out, or to the laying of cast-iron or other water mains.

(4) Notwithstanding any provisions of Schedule 3, a licence under this Schedule shall entitle the holder to perform any of the following work, namely:

- (a) any plumbing or drainage work inside a building, whether of metal, tile, plastic or otherwise; or
- (b) cast-iron or other metal plumbing work inside or outside a building; or
- (c) installation of septic tanks.

Licence Required

3. (1) Subject to the provisions of section 2, no person shall carry on business as a plumbing contractor without a licence under this by-law entitling him so to do.

Provided that a licensed plumbing contractor who is granted a licence as a master plumber shall not be required to take out a separate licence, but shall be entitled to have it shown on his contractor's licence certificate that he is also licensed as a master plumber.

(2) Subject to the provisions of section 2, no person shall engage in any plumbing work as a master plumber, without a licence under this by-law entitling him so to do.

(3) Subject to the provisions of section 2, no person shall engage in the actual performance of any plumbing work without a licence under this by-law as a master plumber.

Provided that the foregoing shall not be deemed to prohibit a bona fide apprentice from performing plumbing work under the direct supervision of, and in the presence of a licensed master plumber or journeyman plumber. By-law No. 70-138, S.8.

Application for Licence

4. (1) Where the application is for a contractor's licence and the applicant is a partnership or corporation, or a person who is not concurrently applying for a master's licence, the application shall include the name and address of the licensed master who will be in actual charge of the work.

(2) Where the application is for a master's licence, it shall include the applicant's qualifications, which shall be at least two years' experience as a journeyman, and shall be accompanied by a receipt from the chairman of the examining board for the amount of the examination fee which is hereby fixed at fifteen dollars.

- (3) Repealed. By-law No. 70-138, S.9.

Examining Board

5. (1) The examining board shall consist of the following members:

- (a) The City Corporation's chief Plumbing Inspector; and
- (b) Two master plumbers appointed by the City Council. By-law No. 70-138, S.10.

(2) Recommendations for the appointment of the master plumbers as above-mentioned will be received by the Committee from the local association or associations of master plumbers, but no paid representative of any union or association of plumbers will be considered. By-law No. 70-138, S.11.

(3) The members of the examining board shall hold office for the balance of the calendar year in which they have been appointed and until their successors have been appointed, unless their term is sooner terminated, and shall receive such remuneration for their services as may from time to time be fixed by the City Council.

(3a) Members of the examining board may be appointed for a term of office not exceeding three years. By-law No. 70-138, S.12.

(4) The examining board shall meet monthly when there is any applicant to be examined, and all reports shall be signed by at least two members.

(5) It shall be the duty of the examining board to send, by ordinary mail, the results of every examination to the applicant and to the representative designated by the applicant, within two weeks following the examination of any applicant.

- (6) The examining board shall not be required,
- (a) to examine any applicant in any language other than the English language; or
 - (b) to receive or entertain any application for an examination within a period of less than three months following the failure of the applicant to pass a previous examination for a similar licence.

Disqualification of Contractor

6. (1) When the master whose name appears on a contractor's licence certificate is no longer regularly employed and in actual charge of the work, the contractor shall at once notify the City Council in writing, delivered to the city clerk, and either furnish the city clerk with the name and address of the master who will thenceforward be in charge, or with particulars of his arrangements pending the engaging of a master to be in charge.

(2) It shall also be an offence for any contractor to have any plumbing work performed when there is not in actual charge of the work a licensed master whose name and address have been furnished to the City Council in writing.

7. Repealed. By-law No. 76-240, S.1.

8. (1) Except as provided in subsection 2, the amount of the licence fee for a licence granted under this Schedule shall be as follows:

- 1. For a contractor, whether qualified as a master or not.....\$100.00.
 - 2. For a master plumber.....\$ 50.00.
- By-law No. 75-335, S.1, Sched. A, para. 40

(2) A master holding a contractor's licence shall pay the licence fee for only a contractor's licence and shall not be required to pay a fee for a master's licence.

11/27/79

-1145-

162.1

S C H E D U L E 39

TELEVISION STRUCTURE INSTALLERS

Repealed. By-law No. 76-240, S.1.

S C H E D U L E 40

SPECIAL SALES

Interpretation

1. In this Schedule,

- (a) "special sale" means any sale or intended sale at retail described by the use of any of the following words or expressions, or any enlargement, contraction or combination thereof:

bankrupt	moving out	fire
insolvent	selling out	smoke
trustee	lease expiring	water damage
receiver	closing out	creditor
liquidation	discontinuing	forced

or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in a manner that is not in the ordinary course of retail business. By-law No. 66-289, S.1(a).

2. (1) No person shall sell, offer for sale, or advertise for sale in any way, any goods, wares or merchandise by way of a special sale without a licence entitling him so to do.
By-law No. 66-289, S.2.

(2) Every licensee shall sell, offer for sale, or advertise for sale only those goods, wares or merchandise that are listed in the application for a licence or in the application for a renewal of a licence. By-law No. 66-289, S.2.

3. Every person intending to conduct a special sale shall complete and file an application in writing in Form 1 hereto annexed as Schedule "A". By-law No. 66-289, S.3.

4. Every application for a licence shall include the following information:

- (a) Name, address, age, occupation and place of employment or place of business of the applicant;

- (b) Location of goods, place and date or dates of special sale;
- (c) Detailed list of goods, wares or merchandise to be offered for sale, including the cost price to the owner thereof and approximate retail value;
- (d) Name and address of person or persons from whom goods purchased and date or dates of purchase;
- (e) Particulars of ownership of such goods if not owned by the applicant and relationship, if any, between owner and applicant;
- (f) Particulars of any damage or other deterioration caused to goods by fire, smoke, water or any other means;
- (g) Particulars of the information to be contained in any sign, pamphlet, handbill or other advertisement to be displayed, distributed, announced or published by any means before or during the sale, purporting to indicate the reason for such sale. By-law No. 66-289, S.4.

5. (1) Every application shall be verified by a Statutory Declaration of the applicant in Form 2, hereto annexed as Schedule "B". By-law No. 66-289, S.5.

(2) Where the applicant is not the owner of the goods, wares or merchandise, the application shall be verified by a Statutory Declaration of the owner of the goods, wares or merchandise. By-law No. 66-289, S.5.

6. The applicant shall produce such books, records or other documents or information as the Licence Committee may consider necessary to corroborate the information contained in the application and shall permit the Chief Licence Inspector or a Licence Inspector to inspect the goods to be sold and to enter and inspect the premises in which such goods are located or in which the sale will be held. By-law No. 66-289, S.6.

7. Where the Licence Committee is unable to satisfy itself that the facts are in accordance with the Statutory Declaration, the Licence Committee shall not issue a licence unless thereafter the applicant satisfies the Licence Committee. By-law No. 66-289, S.8.

8. (1) Except as provided in subsection 2, every licence issued under this by-law shall be effective from the date of sale shown on the application and shall expire 30 days after the date.

(2) Upon application by the licensee, City Council may,

- (a) prior to the expiry of the time mentioned in subsection 1, extend the expiry date of the licence a further 30 days;
- (b) prior to the expiry of the further 30 days mentioned in clause (a), extend the expiry date of the licence a further 30 days;
- (c) prior to the expiry of the time mentioned in clause (b), extend the expiry date for a further 30 days,

for the further sale of any remaining goods, wares or merchandise described in the original application for a licence.

(3) The applications made under subsection 2 shall contain a detailed list of the goods, wares or merchandise remaining to be sold and shall be verified by a completed Statutory Declaration in Form 3, hereto annexed as Schedule "C". By-laws Nos. 66-289, S.12; 76-321, S.1.

9. All goods, wares and merchandise for which a licence is issued under this by-law shall be offered for sale,

- (a) in a manner physically separating on the premises, the location, area or display of the goods, wares and merchandise offered for sale from any other goods, wares or merchandise not subject to special sale;

- (b) in a manner that identifies clearly and conspicuously,
 - (i) the location, area or display in premises where the goods, wares or merchandise are offered for sale;
 - (ii) the particular itemized goods, wares and merchandise offered for sale;
 - (iii) the particular class of special sale for which a licence is issued.
- By-law No. 71-316, S.1.

10. The Licence Committee, if it is satisfied that,
- (a) any licensee is selling goods, wares or merchandise by way of special sale and not included in the licensee's application; or
 - (b) the licensee has received his licence upon an application containing false information; or
 - (c) the licensee has failed to comply with either of sections 9, 14 or 15 hereof,
- may revoke, forthwith, any licence issued hereunder. By-laws Nos. 66-289, S.13; 71-316, S.2.

11. The licensee shall permit the inspection, during the currency of the licence, at any time when the premises in respect of which the licence is issued are open for business, to enter and to inspect the premises and the goods to be sold.
- By-law No. 66-289, S.14.

12. (1) All advertising material distributed or published in respect to a special sale shall contain statements,

- 1. Identifying the particular class of special sale.
- 2. Setting forth that the special sale is held under the authority of By-law No. 66-289 of The Corporation of the City of Hamilton.

3. Whether the special sale deals with all or part of the goods, wares or merchandise located at the premises where the special sale is proposed to be held.
4. That the goods, wares or merchandise in respect of which the licence was issued under this by-law are clearly identifiable at the premises where the special sale is proposed to be held. By-law No. 71-316, S.3.

(2) The same statements referred to in subsection 1 shall be prominently displayed on the premises at which the special sale is held. By-law No. 71-316, S.3.

13. This by-law does not apply to a sale by or under the authority of,

- (a) a receiver or trustee under The Bankruptcy Act (Canada) or a liquidator under The Winding-up Act (Canada);
- (b) a court or a receiver appointed by a court;
- (c) a bailiff, sheriff, executor or administrator;
or
- (d) a receiver, liquidator or trustee under any general or special Act. By-law No..66-289, S.17.

14. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. Except as provided in paragraph 2, for each application.....\$35.00.
2. For an application for any renewal of an application.....\$10.00.
By-law No. 66-289, S.16.

F O R M 1

Schedule "A"

The Corporation of the City of Hamilton

Application

(Section 3)

SPECIAL SALES LICENCE

1. Name of Applicant:.....
2. Address:
3. Age: Occupation:
4. Place of employment or place of business, if other than
above:.....
5. Present location of goods to be sold:
.....
6. Place at which sale to be held:
.....
7. Date or dates of sale:
8. Name and address of owner of goods, if other than appli-
cant:
.....
9. Relationship, if any, between applicant and owner:
.....
10. Particulars of any damage or other deterioration to goods
being sold:
.....
.....

11. Full particulars of information to be used by way of advertisement of sale indicating any reason for sale:

.....
.....
.....

Description of Goods (Col. 1)	Name and Address of Person Whom Goods Purchased (Col. 2)	Date of Purchase (Col. 3)	Cost Price Per Unit (Col. 4)	Retail Price Per Unit (Col. 5)
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F O R M 2

Schedule "B"

The Corporation of the City of Hamilton

Statutory Declaration

(Section 5)

PROVINCE OF ONTARIO) IN THE MATTER OF an application for
) a licence to carry on a special sale
OF) pursuant to the provisions of By-law
) Number of The Corporation of
TO WIT:) the City of Hamilton.

I, of the
of in the

DO SOLEMNLY DECLARE THAT:

1. I am the owner (and applicant) described in the appli-
cation attached hereto, and as such have knowledge of the state-
ments and information contained therein.

2. The statements and information contained in the said
application are true and correct to the best of my knowledge and
belief.

3. I am of the full age of twenty-one years.

AND I make this solemn Declaration conscientiously believing it
to be true, and knowing that it is of the same force and effect
as if made under oath, and by virtue of "The Canada Evidence Act"

DECLARED before me at the)
of)
in the)
of)
this day of)
A.D. 19)
.....)
A Commissioner, etc.)

FORM 3

171

Schedule "C"

The Corporation of the City of Hamilton

Statutory Declaration

(Section 8(3))

PROVINCE OF ONTARIO) IN THE MATTER OF an application for
OF) a licence to carry on a special sale
) pursuant to the provisions of By-law
) Number of The Corporation of
TO WIT:) the City of Hamilton.

I, of the
of in the

DO SOLEMNLY DECLARE THAT:

1. I am the licence holder described in licence number.....
dated which licence expired on the day of
.....

2. Attached hereto is a complete list of the goods offered
for sale under such licence and now remaining unsold.

3. All of such goods were listed on the original application
for the said licence and no other goods have been added to or sub-
stituted for any of such original goods.

4. The said goods remaining unsold are located at
..... and I request that the said
licence be renewed upon the same terms and conditions for a further
thirty-day period expiring on the day of

AND I make this solemn Declaration conscientiously believing it
to be true, and knowing that it is of the same force and effect
as if made under oath, and by virtue of "The Canada Evidence Act."

DECLARED before me at the)
of)
in the)
of)
this day of)
A.D. 19)
.....)
A Commissioner, etc.)

APPENDIX "A"

To

The City of Hamilton Licensing Code, 1979

Showing Provisions of By-law No. 10467 Not Repealed

1. In accordance with section 19, the following provisions of By-law No. 10467 are not repealed:

1. Sections 3, 4, 5 and 6;
2. Paragraph 5 of section 7, as amended by paragraph 32 of schedule "A" to By-law No. 75-335;
3. Sections 8, 9, 10, 11, 12, 13, 14 and 15;
4. Section 19, as amended by section 2 of By-law No. 73-39;
5. Schedule 5, except clauses (a), (c), (d), and (e) of section 1, as amended by By-law No. 10729 and section 1 of By-law No. 10794.

APPENDIX "B"

To

The City of Hamilton Licensing Code, 1979
Showing By-laws Consolidated

By-law No. 10467 Amendments	By-law No. 10468 Amendments	By-law No. 73-342 Amendments
10534	10670	74-23
10721	10725	74-61
10729	70-138	74-104
10794	73-39, S.3	74-201
10861	73-283	74-217
67-95	73-340	76-33
70-123	73-350	76-174
70-294	74-53	76-342
73-39, S.2	75-335	77-54
73-193	76-213	77-59
74-99	76-221	77-153
75-105	76-240	77-192
75-335	79-124	78-34
75-338		79-107
76-63		79-145
77-37		79-146
77-154		79-164
77-192		79-229
79-107		79-248
79-164		79-267
		79-280
		79-315

BY-LAW NO. 79- 324

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 4 (Highways Designated for Use by Heavy Traffic) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby further amended by adding thereto the following item, namely:-

"Lansdowne	Sherman	Lottridge	Anytime"
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2. Schedule 9 (Through Highways) is hereby amended by deleting therefrom the following item, namely:-

"Locke Street, from the southerly limit of Barton Street, to the northerly limit of Aberdeen Avenue, except at the inter-sections of York, King and Main Streets.",

and by adding thereto the following item, namely:-

"Locke Street, from the southerly limit of York Blvd., to the northerly limit of Aberdeen Avenue, except at the inter-sections of King and Main Streets.".

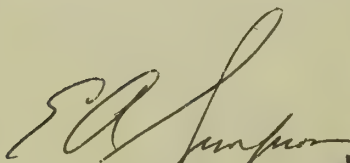
3. Schedule 10 (Stops at Intersections) is hereby amended by adding thereto the following items, namely:-

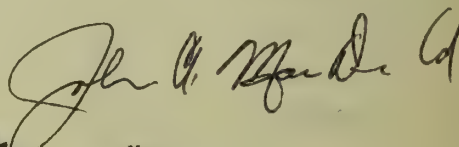
"East 16th	Northbound and Southbound	Callie
Hillview	Northbound and Southbound	Ainslie
Ainslie	Eastbound and Westbound	Bowman"

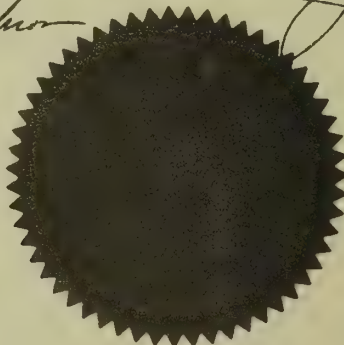
4. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Harrison	South	Harmony to 59 ft..east".
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PASSED this 27th day of November , A.D., 1979.


City Clerk


Mayor



BY-LAW NO. 79 - 325

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Schedule 22 (Hamilton Street Railway Bus Routes) of By-law No. 66-100 To Regulate Traffic, passed on the 29th day of March, 1966, is hereby further amended by adding thereto the following Table, namely:-

"Nash Extension:

From Melvin and Osborne, west on Melvin to Woodward, north on Woodward to Barton, west on Barton to Parkdale, north on Parkdale to Vansitmart, east on Vansitmart, turn and return via Parkdale and Barton to Talbot, south on Talbot to Melvin, west on Melvin to Osborne."

2. Schedule 23 (Hamilton Street Railway Bus Stops) is hereby amended by adding thereto the following table, namely:-

"NASH EXTENSIONOUTBOUNDINBOUND

Vansitmart, 100 ft. east of Parkdale

3. Schedule 25A (Parking Time Limits) is hereby amended by deleting from Section 8 (Two Hour Limit) the following item, namely:-

"St. Joseph's Dr.	South	From 90 ft. west of easterly end to 80 ft. westerly",
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and by adding thereto the following item, namely:-

"St. Joseph's Dr.	South	From easterly end to 170 ft. westerly".
-------------------	-------	---

4. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following items, namely:-

"Baker	South	Dundurn to west end
Harrison	South	Harmony to Division",

and by adding thereto the following items, namely:-

"Baker	South	Dundurn to Bredalbane
Harrison	North	Division to 112 ft. east of Harmony
Buckingham	North	Upper Paradise to 76 ft. east
Hummingbird	East	Bobolink to southerly end".

PASSED this 27th day of November, A.D. 1979.

[Signature]
CITY CLERK

[Signature]
MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 79- 326

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA SOUTH OF STONE CHURCH ROAD EAST
AND WEST OF UPPER SHERMAN AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-27C and E-27D of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, are amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "AA" District provisions applicable to the land shown on schedule "A" as Block 2 are amended to the extent only of the following variance as a special requirement:

- 1. Notwithstanding section 7A(4) of By-law No. 6593, a lot or tract of land shall have a width of at least 40.2 metres and an area of at least 5,600 square metres.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" District provisions applicable to Block 2, subject to the special requirement referred to in section 2.

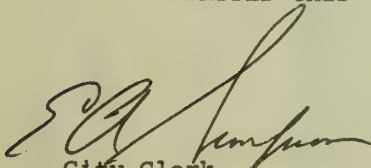
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-684".

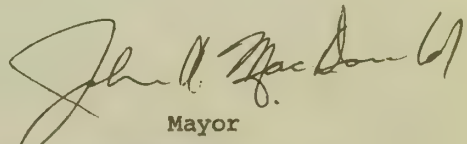
5. Sheets Nos. E-27C and E-27D of the District Maps are amended by marking the land referred to in section 2 of this by-law, "S-684".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

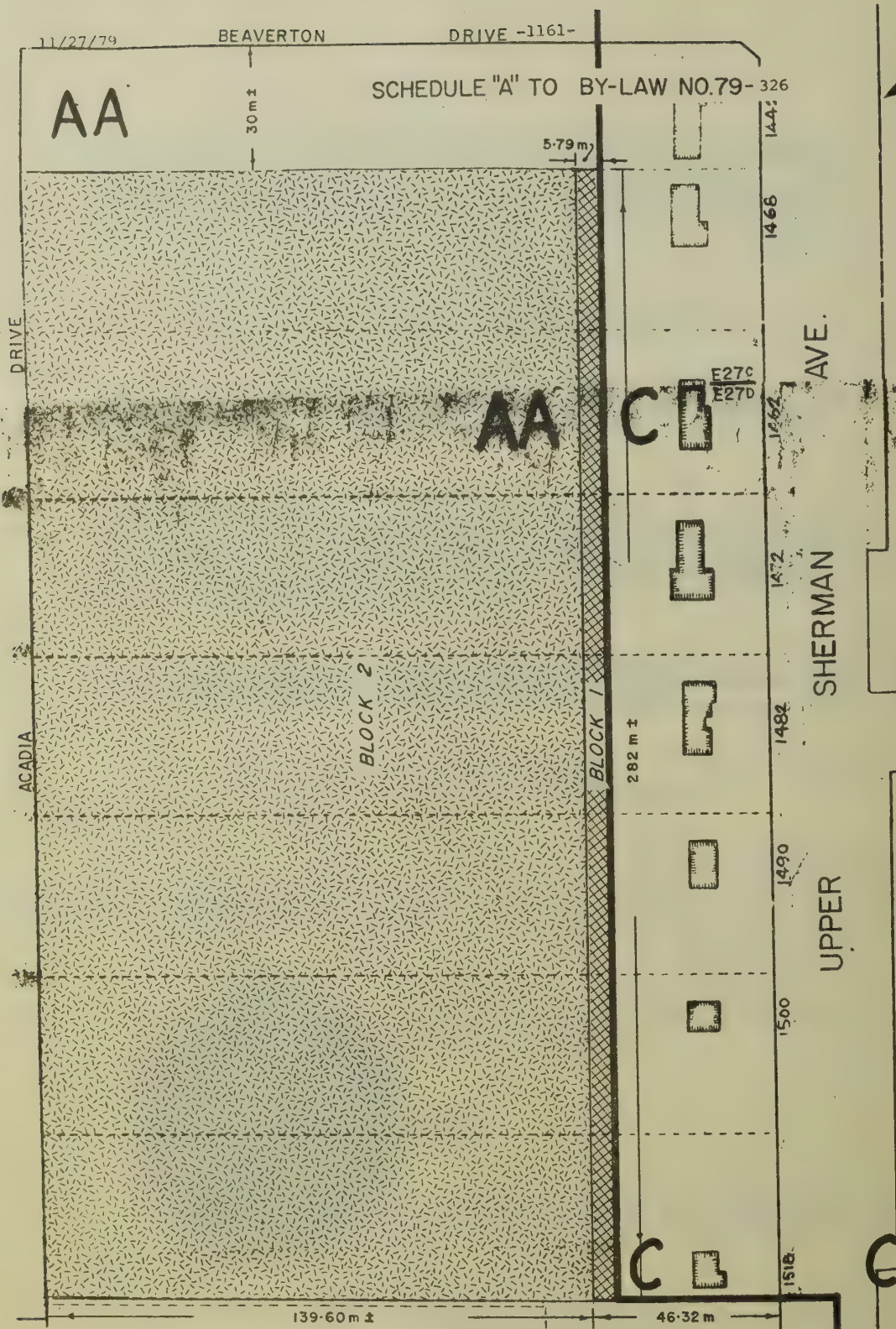
PASSED this 27th day of November A.D. 1979.


City Clerk


Mayor



(1979) 36 R.P.D.C. 5, November 13
City Initiative 79-Y



Bill No. 329

This is Schedule "A" to By-law No. 79-326 passed the 27th day of November, 1979.

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

LEGEND
Lands on Part of Sheet No. E-27C and Part of Sheet No. E-27D of The Zoning District
Maps to be re-zoned from "AA" (Agricultural) District to:

BLOCK 1

BLOCK 2

"C" (Urban Protected Residential, etc.) District.

To be regulated by By-law No. 79-



The Corporation of the City of Hamilton

BY-LAW NO. 79- 327

To Amend:

Zoning By-law No. 74-22

Respecting:

LAND LOCATED AT THE SOUTH-WEST CORNER,
OF MOHAWK ROAD EAST AND PALMER ROAD

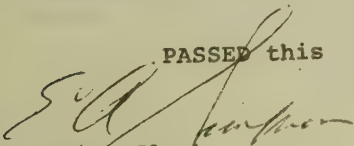
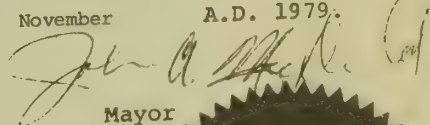
WHEREAS By-law No. 74-22, passed on the 29th day of January, 1974, and approved by the Ontario Municipal Board on the 3rd day of April, 1974 (File No. R 74552), rezoned land shown on schedule "A" thereto from "DE-3" (Multiple Dwellings) district to "G" (Neighbourhood Shopping Centre, etc.) district and made the land subject to special requirements relating to residential and commercial uses permitted in the "G" District;

AND WHEREAS it is intended that the special requirements for residential and commercial development of the land be deleted so as to permit the use of the land as a parking area in conjunction with the adjoining shopping centre located at the south-east corner of Mohawk Road East and Upper Gage Avenue.

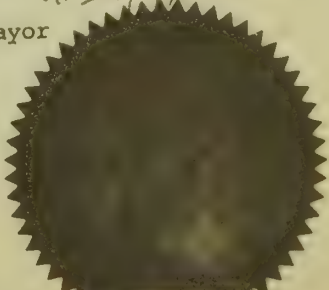
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sections 2, 3, 4 and 5 of By-law No. 74-22 are repealed.
2. By-law No. 6593 is amended by adding this by-law to section 19B as "S-313a".
3. Sheet No. E.49 of the District Maps is amended by marking the lands referred to in section 1 of By-law No. 74-22 as "S-313a".
4. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
5. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 27th day of November A.D. 1979.


City Clerk
Mayor

(1979) 36 R.P.D.C. 11, November 13
D. Morganti, Owner
Z.A. 73-44
Legal File No. 40-5.896, (Section 2)



The Corporation of the City of Hamilton

BY-LAW NO. 79- 328

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE NORTH SIDE OF YORK BOULEVARD,
IN THE AREA BETWEEN CROOKS STREET AND LOCKE STREET NORTH

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-11 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "H" (Community Shopping and Commercial, etc.) district, the land comprised in Blocks 1 and 2,

the extent and boundaries of each of which blocks are shown on a plan hereto annexed as schedule "A".

2. The "H" District provisions applicable to the lands referred to in section 1 and to Block 3 shown on schedule "A", are amended to the extent only of the following restrictions as special requirements:

1. No side yards shall be required except as provided in this section.
2. Except as provided in paragraph 3, there shall be provided and maintained a yard adjacent to York Boulevard unobstructed for a height of not less than 3.0 metres above grade level of not less than 3.0 metres in depth for all portions of buildings and structures that are at grade level as prescribed and illustrated in schedule "B" as Feature 1.

3. There may be provided within the yard referred to in paragraph 2, structures for support of a canopy, free standing signs, art work and displays.
4. There shall be provided and maintained for the length of the property adjacent to York Boulevard a protective structure in the form of a canopy or building overhang extending to within 0.08 metres of the property line of a minimum width of 3.0 metres at a height of not less than 3.0 metres above grade and not more than 9.0 metres above grade as prescribed and illustrated in schedule "B" as Feature 2.
5. No building or structure situated within 6.0 metres of the property line adjacent to York Boulevard shall be greater in height than the level described by the oblique line beginning at a point 9.0 metres above the property line adjacent to York Boulevard and extending upwards at an angle of 45° as prescribed and illustrated in schedule "B" as Feature 3.
6. Except as provided in paragraph 7, there shall be provided and maintained a yard adjacent to York Boulevard of not less than 5.5 metres and not more than 6.5 metres in depth adjacent to York Boulevard for all portions of buildings and structures that are greater than 15.0 metres in height as prescribed and illustrated in schedule "B" as Feature 4.
7. There may be provided and maintained in the required yard adjacent to York Boulevard, encroachments of the facade of a building or structure in accordance with section 18(3) (vi) of By-law No. 6593.
8. No building or structure shall exceed eight storeys or 26.0 metres in height as prescribed and illustrated in schedule "B" as Feature 5.
9. No building or structure situated more than 30.0 metres from the property line adjacent to York Boulevard shall be greater in height than the level described by the oblique line beginning at a point 26.0 metres in height and 30.0 metres from York Boulevard and extending downwards at an angle of 45° to a point 51.0 metres from York Boulevard as prescribed and illustrated in schedule "B" as Feature 6.
10. No building or structure more than 51.0 metres from the property line adjacent to York Boulevard shall be greater than 4.5 metres in height as prescribed and illustrated in schedule "B" as Feature 7.

11. The gross floor area of a building or structure shall not exceed two times the area of the lot on which it is situate.
12. Notwithstanding the limitation on height in section 14(1)(iii)(a) of By-law No. 6593, the said section shall apply to permit residential dwelling units on the third storey only if the building does not exceed three storeys in height.
13. Notwithstanding subsections 3 and 5 of section 14 and section 18(3)(iv) of By-law No. 6593, the area of Blocks 1 and 2 shall be added to Block 3 for the purpose of,
 - (a) calculation of the density; and
 - (b) calculation of the number of required parking spaces; and
 - (c) the location of the required parking spaces,under By-law No. 6593.
14. Notwithstanding section 18(3)(iv) of By-law No. 6593, parking shall be provided and maintained at the ratio of,
 - (a) 1 parking space for each 46 square metres of gross floor area in excess of 450 square metres for a commercial use; and
 - (b) 1.25 parking spaces for each residential dwelling unit.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.

4. (1) Schedule "B" is hereto annexed and forms part of this by-law.

(2) For the purpose of this by-law, schedule "B" prescribes and illustrates as special requirements,

- (a) measurement in metres from one point to another at each end of a line representing a Feature for which a corresponding measurement is applicable; and
- (b) the slope in degrees from a horizontal line at grade level of a Feature either separately or in relation to one or more Features.

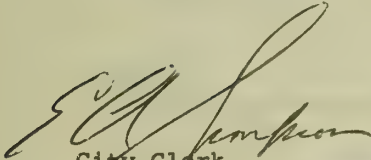
5. By-law No. 6593 is amended by adding this by-law to section 19B as "S-674".

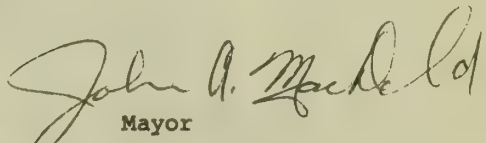
6. Sheet No. W-11 of the District Maps is amended by marking the lands referred to in section 2, "S-674".

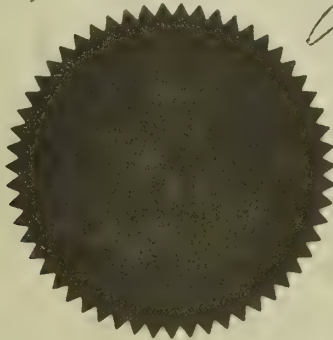
7. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

8. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

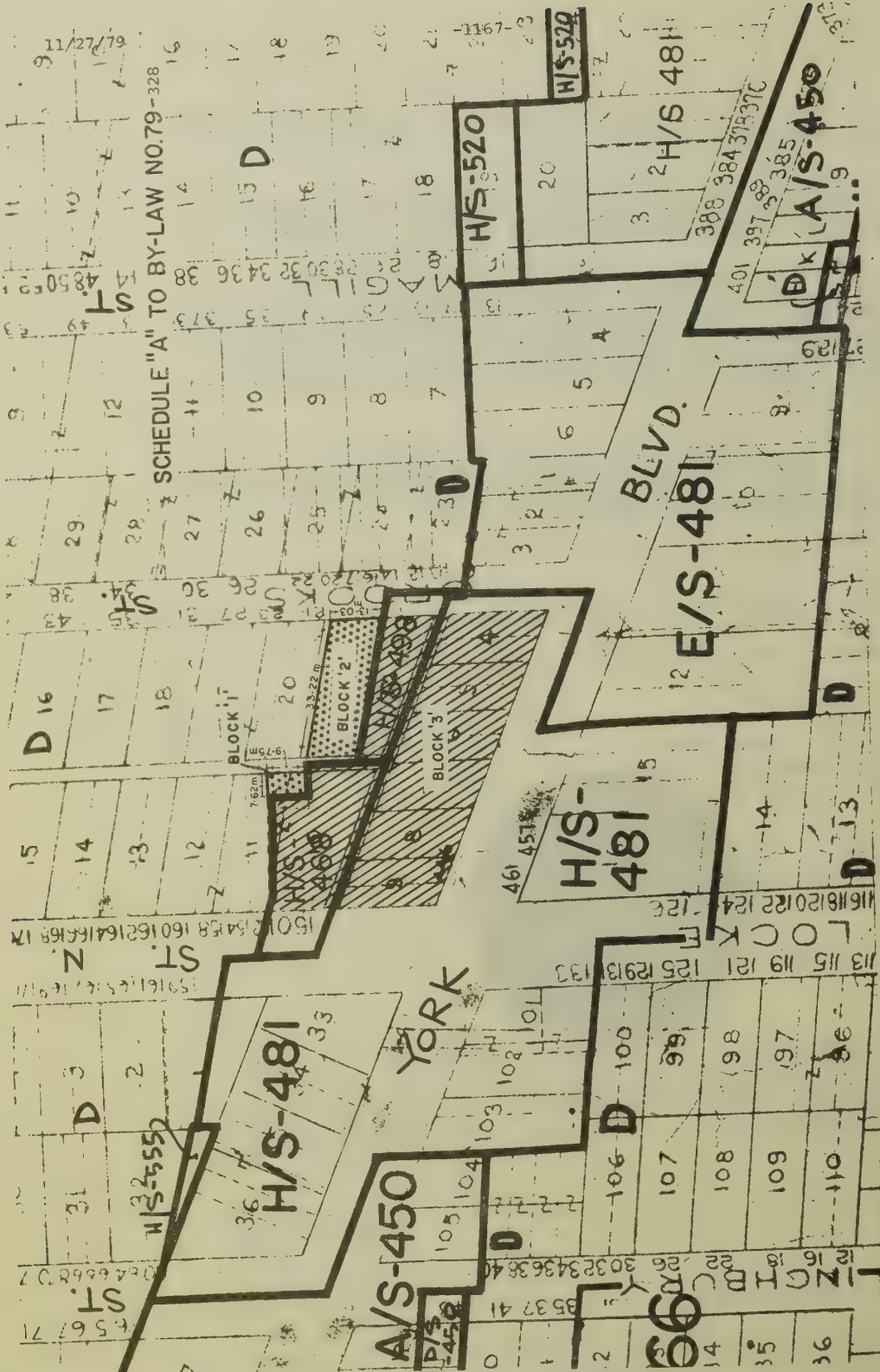
PASSED this 27th day of November A.D. 1979.


City Clerk


Mayor



(1979) 32 R.P.D.C. 2, September 25
Arthur Young, Owner
Z.A. 79-48



LEGEND

Lands on Part of Sheet No. W-11 of The Zoning District Maps to be re-zoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District.

Lands to be regulated by By-law No. 79-328



Bill No. 331

This is Schedule "A" to By-law No. 79-328 passed the 27th day of November, 1979.

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

Bill No. 332

BY-LAW No. 79- 329

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 27TH DAY OF NOVEMBER A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

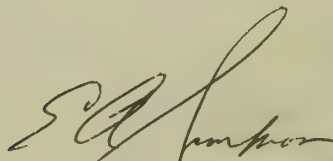
AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

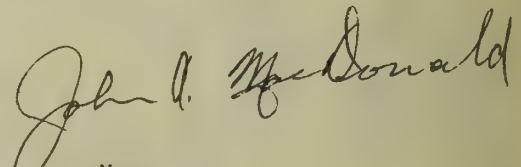
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 27th day of November A.D., 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79- 330

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA SOUTH OF STONE CHURCH ROAD WEST
AND EAST OF UPPER PARADISE ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27C of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "RT-20" (Townhouse-Maisonette) district to "L-c" (Planned Development - Commercial) district, the land comprised in Block 1; and
- (b) by changing from "RT-20" (Townhouse-Maisonette) district and "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 2; and
- (c) by changing from "AA" (Agricultural) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as schedule "A".

2. The "D" District provisions applicable to the land referred to in clause (c) of section 1 are amended to the extent only of the following variance as a special requirement:

- 1. Clause (iii) of subsection 1 of section 10 of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions applicable to Block 3, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-680".

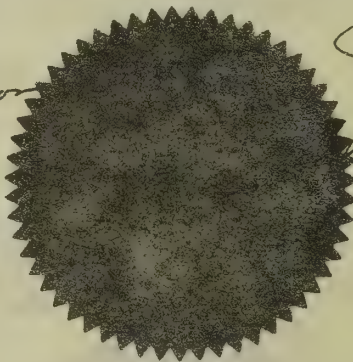
5. Sheet No. W-27C of the District Maps is amended by marking the land referred to in clause (c) of section 1 of this by-law, "S-680".

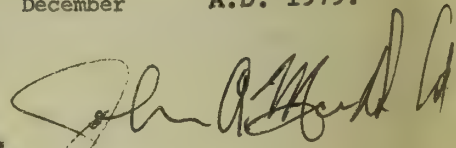
6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 11th day of December A.D. 1979.


City Clerk




Mayor

(1979) 36 R.P.D.C. 1, November 13
T. Tatti and H. Katz, Owners
Z.A. 79-34

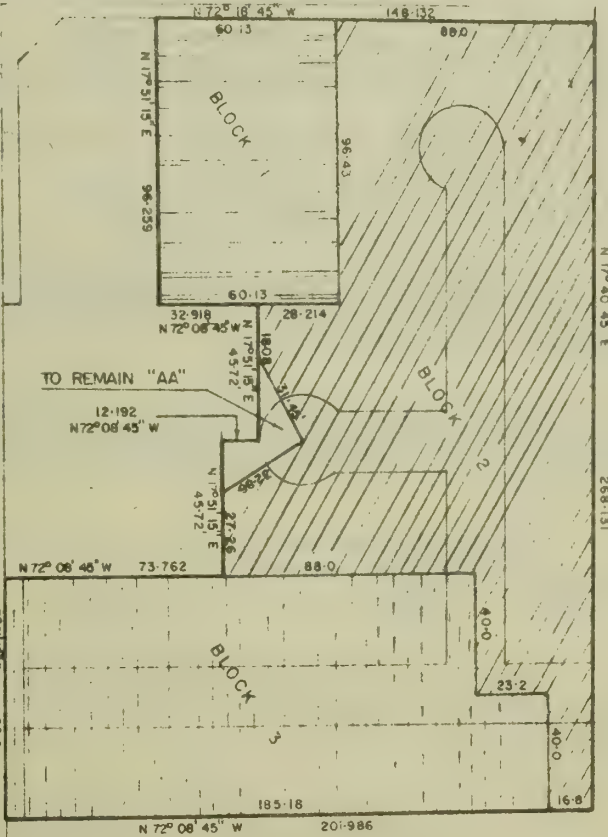
SCHEDULE "A" TO BY-LAW NO. 79-330



STONE CHURCH ROAD
(ROAD ALLOWANCE BETWEEN CONCESSIONS 7 & 8)

UPPER PARADISE ROAD (ROAD ALLOWANCE BETWEEN LOTS 20 & 21)

BLOCK 1 - RT-20 to L-c
BLOCK 2 - AA and RT-20 to C
BLOCK 3 - AA to D



PLAN SHOWING
PART OF LOT 20
CONCESSION 8
TOWNSHIP OF BARTON
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

CAUTION: METRIC DISTANCES

H.B. ASHENHURST
ONTARIO LAND SURVEYOR
HAMILTON ONTARIO

Bill No. 333

This is Schedule "A" to By-law No. 79-330 passed the 11th day of December, 1979.

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79- 331

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 16 CLAPHAM ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-105 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district to "G-3" (Public Parking Lots) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "G-3" District provisions applicable to the land referred to in section 1 are amended to the extent only of the following variance as a special requirement:

1. Notwithstanding section 13C(3)(i) of By-law No. 6593 there shall be provided and maintained within the district a front yard of at least 6.0 metres in depth and no parking shall be permitted in the front yard.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-3" District provisions, subject to the special requirement referred to in section 2.

12/11/79

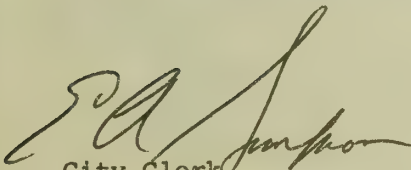
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-682".

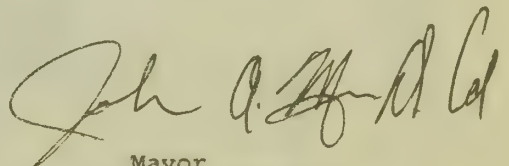
5. Sheet No. E-105 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-682".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

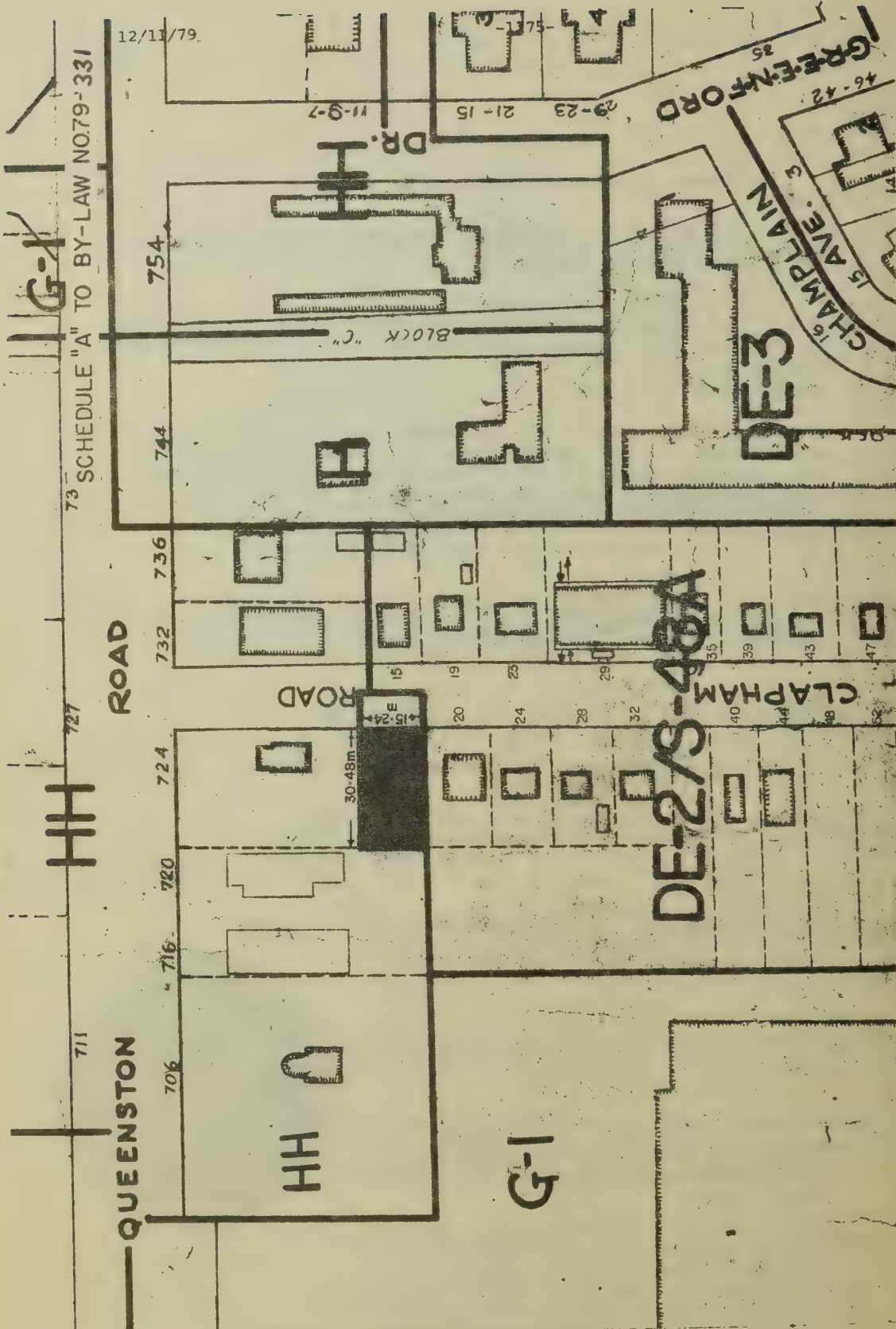
PASSED this 11th day of December A.D. 1979.


City Clerk


Mayor



(1979) 36 R.P.D.C. 3, November 13
Winterbottom Holdings Limited, Owner
Z.A. 77-55



LEGEND

Lands on Part of Sheet No. E-105 of The Zoning District Maps to be re-zoned from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District.

Bill No. 334

This is Schedule "A" to By-law No. 19-331 passed the 11th day of December, 1979.

[Signature]
City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

[Signature]
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79- 332

To Amend:

Streets By-law No. 9329

Respecting:

FOULING OF HIGHWAYS

WHEREAS paragraph 1 of section 460 of The Municipal Act, R.S.O. 1970, Chapter 284 provides that by-laws may be passed by municipalities,

1. For prohibiting or regulating the obstructing, encumbering, injuring or fouling of highways or bridges;

AND WHEREAS it is desirable to regulate the fouling of highways by motor vehicles carrying or conveying a load.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 9329 is amended by adding the following thereto:

8. (1) The whole or portion of every load carried by a motor vehicle on a highway and which is not enclosed by the vehicle or a load container, shall be covered by a covering that is made of tarpaulin, canvas, netting or other material that prevents the load or any part of the load from falling upon the highway.

(2) Subsection 1 does not apply to municipal vehicles,

- (a) in the course of applying sand, salt, a mixture of sand and salt or similar substance to the highway for the purpose of highway or winter highway maintenance;
- (b) in the course of collecting waste;
- (c) within the limits of a highway construction contract.

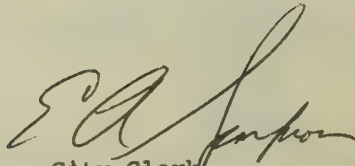
(3) For the purpose of this section,
"load" includes,

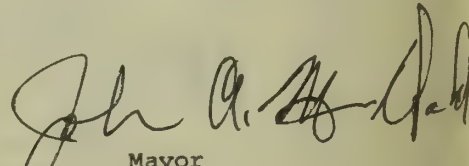
- (a) domestic or industrial waste
of any kind within the meaning
of By-law No. 68-360; or
- (b) construction material; or
- (c) earth, sand, gravel, stone,
crushed stone, slag, salt or
any mixture thereof; or
- (d) any other material or thing,

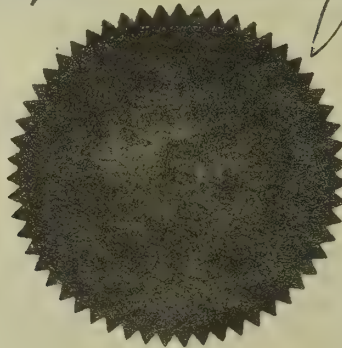
that may foul a highway by being blown thereon or
by spilling or falling onto the highway.

PASSED this 11th day of December

A.D. 1979.


City Clerk


Mayor



(1979) 5 R.P.C.C. 2, November 13.

The Corporation of the City of Hamilton

BY-LAW NO. 79- 333

To Amend:

Zoning By-law No. 6593

Respecting:

LAND OCCUPIED BY THE IVOR WYNNE STADIUM

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "A" (Conservation, Open Space, Park and Recreation) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following variance as a special requirement:

1. Notwithstanding section 7 of By-law No. 6593,

(a) a stadium operated as a public use and commercial uses accessory to the stadium; and

(b) buildings and structures existing at the date of the passing of this by-law,

shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "A" District provisions, subject to the special requirement referred to in section 1.

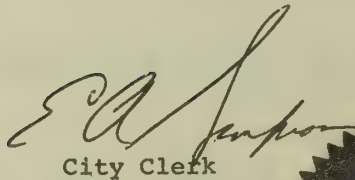
3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-683".

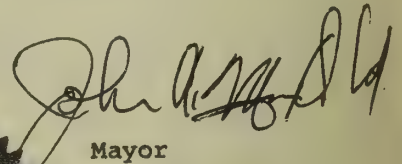
4. Sheet No. E-32 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-683".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this 11th day of December A.D. 1979.


City Clerk


Mayor



(1979) 36 R.P.D.C. 4, November 13
City Initiative 79-X

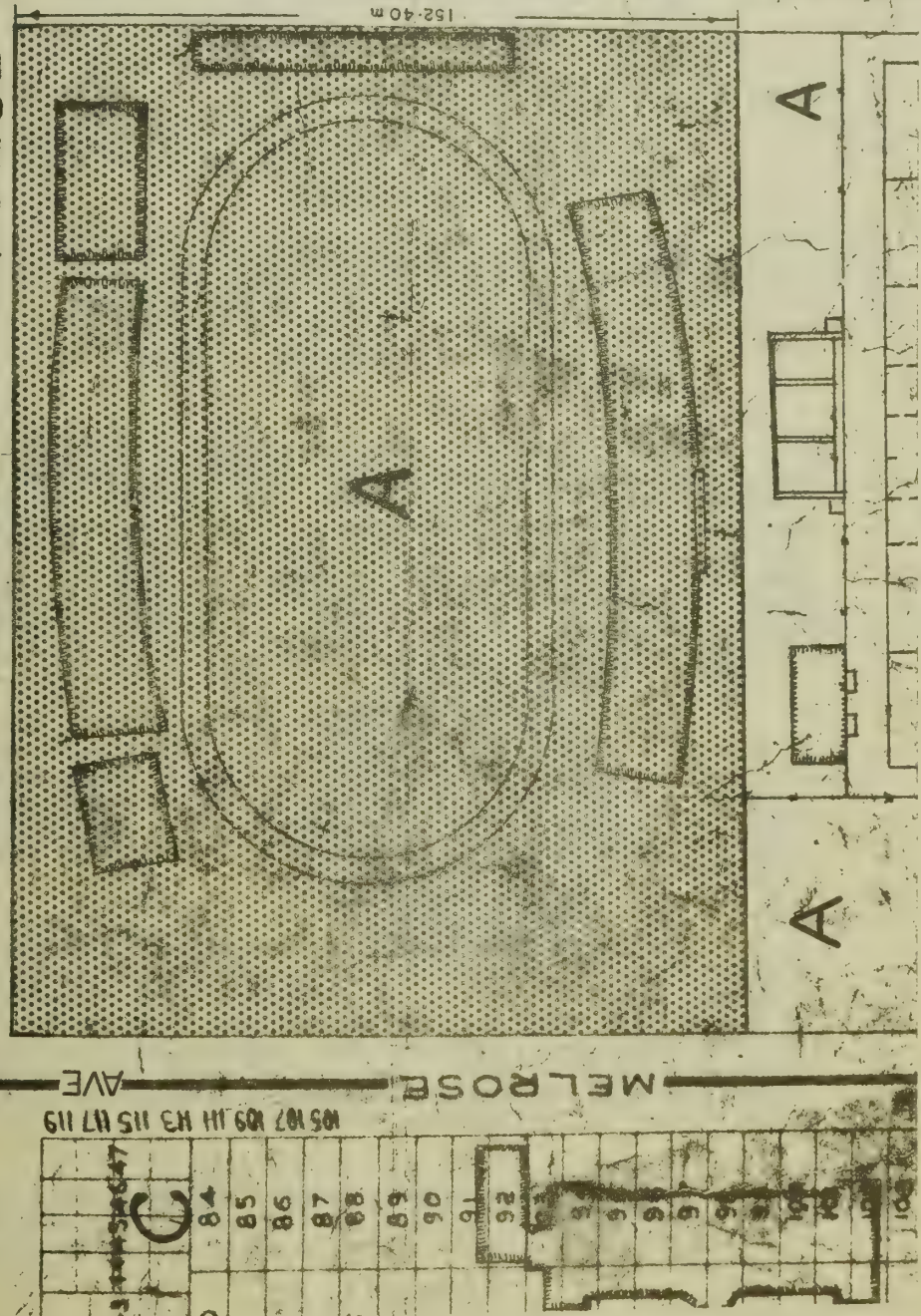
50 51 52 53 54
 121 123 125
 N
 501 502 503 504 505 506
 137 139 141 143 145 147
 PROSPECT ST. N.
 138 140
 LEINSTER AVE
 140 142
 554 551 552 553 554 555
 159 15
 SCHEDULE "A" TO BY-LAW NO. 79-333

BEECHWOOD AVENUE

595	614
596	613
597	612
598	611
599	610
600	609
601	608
602	607
603	606
604	605

-1180-

12/11/79



LEGEND

Lands on Part of Sheet No. E-32 of The Zoning District Maps to be regulated by
 By-law No. 79- 333

Bill No. 336

This is Schedule "A" to By-law No. 79- 333 passed the 11th day of December, 1979.

City Clerk

THE CORPORATION OF THE CITY OF HAMILTON

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 79- 334

To Authorize:

THE REPLACING OF A LOST DEBENTURE

WHEREAS section 327 of The Municipal Act, R.S.O. 1970, Chapter 284 provides as follows:

327. Where a debenture is defaced, lost or destroyed, the council may by by-law provide for the replacing of the debenture on the payment of such fee and on such terms as to evidence and indemnity as the by-law may provide;

AND WHEREAS A. E. Ames & Co. Limited, 100 King Street West, Hamilton, Ontario, (hereinafter called the "Sender"), has in an affidavit dated the 20th day of September, 1978 deposed that it has forwarded to A. E. Ames & Co. Limited, 320 Bay Street, Toronto, Ontario, three certificates each for \$1,000, numbers 130035, 130036 and 130037 of City of Hamilton 5 1/2% Debentures due December 31, 1982 cum June 30, 1978 and subsequent coupons attached, in the name of Bearer, (hereinafter called the "Debentures");

AND WHEREAS the Sender has further deposed that A. E. Ames & Co. Limited, 320 Bay Street, Toronto, Ontario has reported the non-delivery of the said Debentures and the inability to find or locate the Debentures, that the Debentures were not returned to the Sender and that the said Debentures are believed to have been lost or destroyed in transit in the mail;

AND WHEREAS A. E. Ames & Co. Limited, 320 Bay Street, Toronto, Ontario, (hereinafter called the "Owner"), has in an affidavit dated the 25th day of September, 1978, deposed that it is the legal and beneficial owner of the Debentures, that the said Debentures have never been received by it or its authorized agent and that it has not endorsed the said Debentures, nor sold, transferred, pledged, hypothecated or disposed of same or any interest therein;

AND WHEREAS the Owner further deposes that it has made a thorough search and has made inquiries, but has found no trace of the Debentures mailed to it by the Sender as aforesaid;

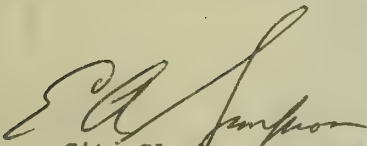
AND WHEREAS A. E. Ames & Co. Limited has lodged a Bond of Indemnity for the said lost or destroyed Debentures, dated the 6th day of November, 1979.

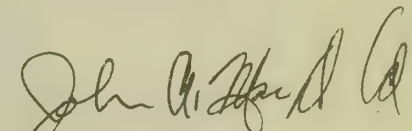
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

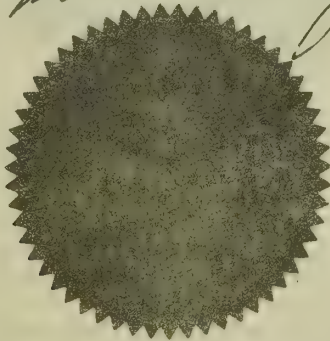
1. Debentures of The Corporation of the City of Hamilton under certificate Nos. 130035, 130036 and 130037, are hereby authorized to be replaced.

2. All proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things as may be necessary to give effect to this By-law.

PASSED this 11th day of December A.D. 1979.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 79- 335

To Amend:

Various Zoning By-laws Affecting Land
Adjacent to York Boulevard

Respecting:

METRICATION

WHEREAS section 45a of The Planning Act, R.S.O. 1970, Chapter 349, as enacted by subsection 3 of section 21 of The Metric Conversion Act, S.O. 1978, Chapter 87, provides that a by-law may be passed establishing metric units of measurement in the General Zoning By-law No. 6593 and that such a by-law does not require to be approved by the Ontario Municipal Board;

AND WHEREAS it is necessary to convert the imperial units of measurement to metric units of measurement in accordance with The Weights and Measures Act (Canada), in the various zoning by-laws affecting land adjacent to York Boulevard, hereinafter referred to.

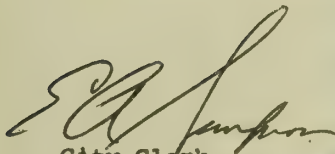
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The imperial units listed in column 4 of the schedules listed below, and hereto annexed and forming part of this by-law, for the corresponding by-laws set out below and in column 1 of the said schedules and the corresponding sections and paragraphs set out in columns 2 and 3, respectively of the schedules, are amended by substituting the corresponding metric units listed in column 5:

<u>Schedule</u>	<u>Corresponding By-law No.</u>
A	76-152
A1	76-233
A2	76-311
A3	77-46
A4	77-148
A5	77-264
A6	78-28
A7	78-280
A8	79-149
A9	79-151

2. Schedule "B" to each of By-laws Nos. 76-233, 78-28, 78-280, 79-149 and 79-151 is repealed and schedule "B-1979" hereto annexed and forming part of this by-law is substituted therefor.

PASSED this 11th day of December A.D. 1979.


City Clerk


Mayor



(1979) 34 R.P.D.C. 5, October 9
(1979) 36 R.P.D.C. 9, November 13
City Initiative 79-W

12/11/79

-1185-
- 3 -

SCHEDULE "A"
TO
BY-LAW NO. 79- 335
RESPECTING:
METRICATION

Column 1 By-law No.	Column 2 Section	Column 3 Paragraph	Column 4 Imperial Unit	Column 5 Metric Unit
76-152	2	1	55 feet	17.0 m
		2	10 feet	3.0 m
			85 feet	26.0 m

SCHEDULE "A1"
TO
BY-LAW NO. 79- 335

Column 1 By-law No.	Column 2 Section	Column 3 Paragraph	Column 4 Imperial Unit	Column 5 Metric Unit
76-233	5	1	10 feet	3.0 m
			10 feet	3.0 m
		3	3 inches	0.08 m
			10 feet	3.0 m
			10 feet	3.0 m
			30 feet	9.0 m
		4	20 feet	6.0 m
			30 feet	9.0 m
		5	19 feet	5.5 m
			21 feet	6.5 m
			50 feet	15.0 m
	6	2	10 feet	3.0 m
			10 feet	3.0 m
		4	3 inches	0.08 m
			10 feet	3.0 m
			10 feet	3.0 m

Column 1 By-law No.	Column 2 Section	Column 3 Paragraph	Column 4 Imperial Unit	Column 5 Metric Unit
76-233		5	30 feet	9.0 m
			20 feet	6.0 m
			30 feet	9.0 m
		6	19 feet	5.5 m
			21 feet	6.5 m
			50 feet	15.0 m
		8	100 feet	30.0 m
			85 feet	26.0 m
			100 feet	30.0 m
			170 feet	51.0 m
	6	9	170 feet	51.0 m
			15 feet	4.5 m
		10	85 feet	26.0 m
	7	3	10 feet	3.0 m
			10 feet	3.0 m
			3 inches	0.08.m
			10 feet	3.0 m
			10 feet	3.0 m
			30 feet	9.0 m
		6	20 feet	6.0 m
			30 feet	9.0 m
		7	19 feet	5.5 m
			21 feet	6.5 m
			50 feet	15.0 m
		9	85 feet	26.0 m
		10	100 feet	30.0 m
			85 feet	26.0 m
			100 feet	30.0 m
			170 feet	51.0 m
		11	170 feet	51.0 m
			15 feet	4.5 m
	8	2(1)	55 feet	17.0 m
		2(11)	10 feet	3.0 m
			85 feet	26.0 m
	10	(2)(a)	feet and inches	metres

SCHEDULE "A2"

TO

BY-LAW NO. 79- 335

Column 1 By-law No.	Column 2 Section	Column 3 Paragraph	Column 4 Imperial Unit	Column 5 Metric Unit
76-311	2	1	100 feet	30.0 m
			85 feet	26.0 m
			100 feet	30.0 m
			170 feet	51.0 m
	2	2	170 feet	51.0 m
			15 feet	4.5 m
			85 feet	26.0 m

SCHEDULE "A3"

TO

BY-LAW NO. 79- 335

Column 1 By-law No.	Column 2 Section	Column 3 Paragraph	Column 4 Imperial Unit	Column 5 Metric Unit
77-46	1		100 feet	30.0 m
			85 feet	26.0 m
			100 feet	30.0 m
			170 feet	51.0 m

SCHEDULE "A4"

TO

BY-LAW NO. 79- 335

Column 1 By-law No.	Column 2 Section	Column 3 Paragraph	Column 4 Imperial Unit	Column 5 Metric Unit
77-148	2	1	55 feet	17.0 m
		2	10 feet	3.0 m
			85 feet	26.0 m

SCHEDULE "A5"
TO
BY-LAW NO. 79- 335

Column 1 By-law No.	Column 2 Section	Column 3 Paragraph	Column 4 Imperial Unit	Column 5 Metric Unit
77-264	1	1	85 feet	26.0 m

SCHEDULE "A6"
TO
BY-LAW NO. 79- 335

Column 1 By-law No.	Column 2 Section	Column 3 Paragraph	Column 4 Imperial Unit	Column 5 Metric Unit
78-28	2	3	10 feet	3.0 m
			10 feet	3.0 m
		5	3 inches	0.08 m
			10 feet	3.0 m
			10 feet	3.0 m
	2	5	30 feet	9.0 m
		6	20 feet	6.0 m
			30 feet	9.0 m
		7	19 feet	5.5 m
			21 feet	6.5 m
			50 feet	15.0 m
		9	85 feet	26.0 m
		10	100 feet	30.0 m
			85 feet	26.0 m
			100 feet	30.0 m
			170 feet	51.0 m
		11	170 feet	51.0 m
			15 feet	4.5 m
	4	(2)(a)	feet and inches	metres

12/11/79

-1189-
- 7 -

SCHEDULE "A7"
TO
BY-LAW NO. 79- 335

Column 1 By-law No.	Column 2 Section	Column 3 Paragraph	Column 4 Imperial Unit	Column 5 Metric Unit
78-280	2	3	10 feet	3.0 m
			10 feet	3.0 m
		5	3 inches	0.08 m
	2	5	10 feet	3.0 m
			10 feet	3.0 m
			30 feet	9.0 m
		6	20 feet	6.0 m
			30 feet	9.0 m
		7	19 feet	5.5 m
			21 feet	6.5 m
			50 feet	15.0 m
		9	85 feet	26.0 m
		10	100 feet	30.0 m
			85 feet	26.0 m
			100 feet	30.0 m
			170 feet	51.0 m
		11	170 feet	51.0 m
			15 feet	4.5 m

SCHEDULE "A8"
TO
BY-LAW NO. 79- 335

Column 1 By-law No.	Column 2 Section	Column 3 Paragraph	Column 4 Imperial Unit	Column 5 Metric Unit
79-149	2	2	85 feet	26.0 m
		3	100 feet	30.0 m
			85 feet	26.0 m
			100 feet	30.0 m
			170 feet	51.0 m
		4	170 feet	51.0 m
			15 feet	4.5 m

SCHEDULE "A9"
TO
BY-LAW NO. 79- 335

Column 1 By-law No.	Column 2 Section	Column 3 Paragraph	Column 4 Imperial Unit	Column 5 Metric Unit
79-151	2	2	85 feet	26.0 m
		3	100 feet	30.0 m
			85 feet	26.0 m
			100 feet	30.0 m
			170 feet	51.0 m
		4	170 feet	51.0 m
			15 feet	4.5 m
		6	4 feet	1.2 m
			6 feet	2.0 m
	4	(2)(a)	feet and inches	metres

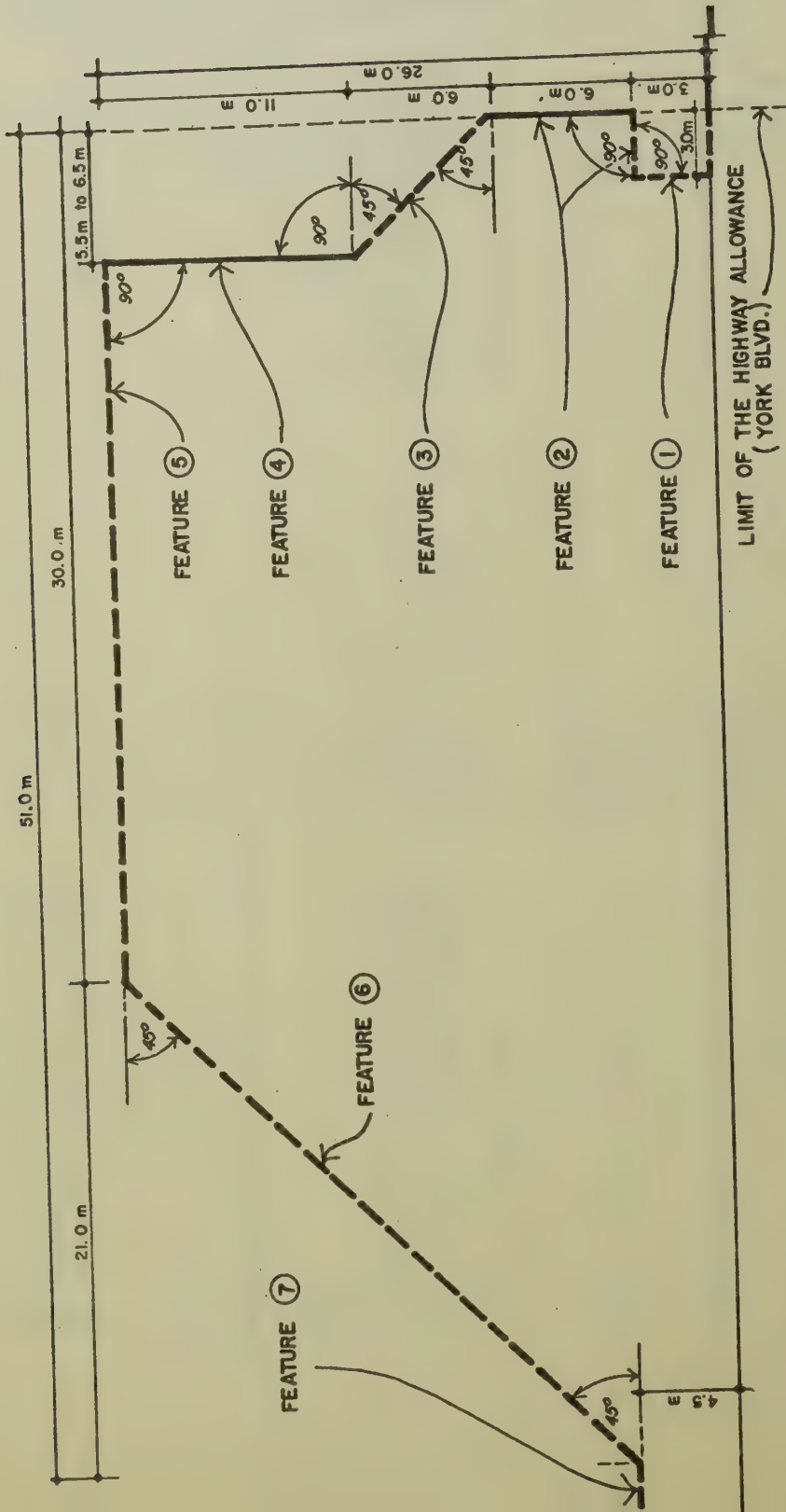
SCHEDULE "B-1979"

TO

BY-LAW NO. 79- . 335

RESPECTING:

METRICATION



BY-LAW No. 79-336

being a by-law to authorize Supplementary Benefits under
the Ontario Municipal Employees Retirement System

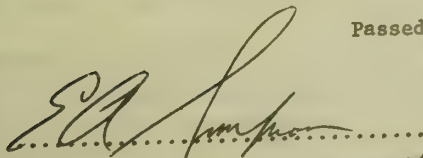
WHEREAS under By-law Number 10777 dated June 29, 1965 the Corporation of the
City of Hamilton elected to participate in the Ontario Municipal Employees
Retirement System;

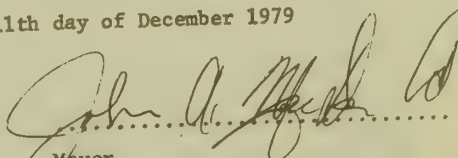
AND WHEREAS pursuant to Section 23 of the Regulations made under The Ontario
Municipal Employees Retirement System Act, R.S.O. 1970, as amended, an employer
who has elected to participate in the System may enter into an agreement with
the Ontario Municipal Employees Retirement Board for the payment of supplementary
benefits in respect of all or any class of the employees or councillors who are
or become members of the System;

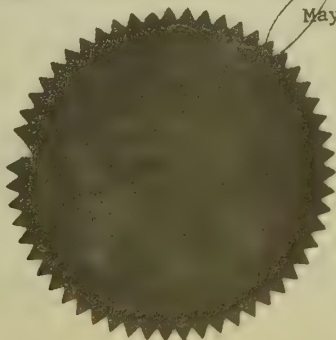
NOW THEREFORE be and it is hereby enacted that:

1. The Mayor and the City Clerk are hereby authorized on behalf of the
Corporation of the City of Hamilton to enter into a Supplementary
Agreement in the form attached hereto as Schedule A with the Ontario
Municipal Employees Retirement Board for the payment of the supplementary
benefits provided in the Supplementary Pension Plan set forth as Schedule 1
to the Supplementary Agreement.
2. The City Clerk is hereby authorized to do such things as are necessary
under the Supplementary Agreement and to carry out the intent of the
By-law.
3. Two certified copies of this By-law shall be filed with the Executive
Director of the Ontario Municipal Employees Retirement Board.
4. This By-law shall come into force on the day of its passing.

Passed this 11th day of December 1979


.....
City Clerk


.....
Mayor



ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM SUPPLEMENTARY BENEFITS AGREEMENT

No. 280

THIS AGREEMENT made this 29th day of November 19 79 ,

pursuant to section 23 of Ontario Regulation 936, 1977, as heretofore and hereafter amended, (herein called the "Regulation"), being a regulation made under The Ontario Municipal Employees Retirement System Act, R.S.O. 1970, Chapter 324, as heretofore and hereafter amended from time to time, (herein called the "Act"),

BETWEEN

the ONTARIO MUNICIPAL EMPLOYEES RETIREMENT BOARD (herein called the "Board"),

and

CITY OF HAMILTON

(herein called the "Employer").

WHEREAS under the Regulation which became effective January 1, 1978 provision was made for highest average earnings pension benefits and in connection therewith subsection 23(14) of the Regulation provides that a supplementary agreement in force on the 31st day of December, 1977 shall be deemed to be amended as of the 1st day of January, 1978, until such time as it is amended in fact, to eliminate supplementary benefits duplicated by a benefit otherwise payable under the Regulation.

AND WHEREAS for those employers who had supplementary agreements in force on December 31, 1977 and which continue to be in force as of the date hereof this Agreement shall be effective as of January 1, 1978 and otherwise this Agreement shall be effective as of the Plan effective date as defined in the Plan.

AND WHEREAS it is understood that as provided for by subsections 23(15), (16), and (17) of the Regulation it is contemplated, that, except to the extent otherwise provided for in such subsections, monies held in the Fund in connection with an earlier supplementary agreement to which the Board and the Employer were parties shall continue to be held to the extent necessary to provide the benefits provided for in this Agreement.

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained the Board and the Employer do hereby covenant and agree:

1. Words and phrases used in this Agreement and in Schedule I hereto which are used in the Act and Regulation shall, unless the context in which they are used clearly indicates a contrary intention, have the meaning given to them under the Act and the Regulation, and
 - (a) "capital cost" of any benefit payable under this Agreement shall be the present value of the amount required by the Board to provide for the payment of such benefit and shall be determined by the executive-director on the advice of the actuary in accordance with the practice of the Board in effect at the time the benefit becomes payable;
 - (b) "covered member" shall mean a member of the System to whom the Plan is applicable;
 - (c) "Fund" shall mean the Ontario Municipal Employees Retirement Fund;
 - (d) "Plan" shall mean the Supplementary Pension Plan which is attached hereto as Schedule I and which forms part of this Agreement; and
 - (e) "Plan contribution" shall mean any amount payable by the covered members or the Employer under this Agreement to provide the benefits of the Plan.
2. Benefits payable under this Agreement in respect of a covered member shall be as set out in the Plan.
3. The Employer shall provide each covered member with either a written explanation of the benefits and terms and conditions of the Plan and of any amendments made from time to time, or a copy of the Plan and any amendments made from time to time.
4. The executive director shall determine whether or not a benefit is payable and the amount of any benefit that is payable under this Agreement.
5. The Board, on the advice of the actuary, shall determine the Plan contributions payable under this Agreement and the Employer shall pay or cause to be paid to the Board such Plan contributions.
6. For the management and administration of this Agreement, each year the Board shall deduct one per cent of any Plan contributions paid or required to be paid to the Board for that year.
7. Plan contributions, including the monies referred to in the last recital hereto, less deductions for management and administration and other monies required for current expenditures under the Plan (hereinafter called the "Supplementary Fund") shall be commingled with and form part of the Fund and be invested and otherwise dealt with in the manner provided for in the Act with respect to the Fund. The Board shall keep or cause to be kept books of account, records and documents of the Supplementary Fund and whatever information is necessary for the financial, administrative and actuarial requirements of the Supplementary Fund and the Plan including, without limit to the generality of the foregoing, such books of account, records and documents, on any such basis, as may be reasonably required to ascertain in a uniform and equitable manner the interest of the Supplementary Fund in the Fund and in other funds commingled therewith and, subject to section 12 hereof, the rate of return thereon. Subject to this Agreement the Supplementary Fund shall be held by the Board solely to provide the benefits under this Agreement.
8. Notwithstanding anything in this Agreement, the provisions of The Pension Benefits Act, R.S.O. 1970, Chapter 342, and the Regulations thereunder all as heretofore and hereafter amended, shall prevail in respect of this Agreement and the Board shall provide The Pension Commission of Ontario with such information and calculations as may be required thereunder.
9. The Employer shall provide the Board and the Board shall provide the Employer with such information as may be required for the administration of this Agreement.
10. When a benefit becomes payable under this Agreement the Board shall deduct the capital cost of such benefit from the Supplementary Fund and add such amount to the Fund and the Board shall then assume full liability for the payment of such benefit.

11. Notwithstanding section 10 above, if a capital cost deduction would reduce the balance in the Supplementary Fund held in respect of the remaining covered members to an amount which is less than the sum of the contributions made by such covered members plus the interest credited thereon, an amount sufficient to make such reduction shall be paid forthwith by the Employer to the Board failing which the benefit shall be reduced accordingly.
12. In any year the income credited to monies held in the Supplementary Fund shall be calculated as follows:
 - (a) for monies held in the Supplementary Fund on December 31, 1977, if any, interest thereon shall continue to be credited according to the annual rate of interest on applicable debentures issued to the Board under section 7 of the Act, until the end of the term of each such debenture and thereafter at the rate provided for in clause (b) below; and
 - (b) for monies credited to the Supplementary Fund on or after January 1, 1978, income shall be credited, from the first day of the month following the month such monies are credited to the Supplementary Fund, at a rate determined each year by the Board, which is equal to the rate of return earned in the previous year by that portion of the Fund referred to in subsections (3a) and (3b) of section 7 of the Act.
13. It is understood that the provisions of the Act and the Regulation shall, except where otherwise specifically provided for herein, apply to the provisions of this Agreement and to the Plan to the same extent and with the same effect as would be the case if the provisions of this Agreement and the Plan were set out in the Regulation. In this connection it is understood that, if and to the extent the provisions of the Regulation are inconsistent herewith, the Regulation shall govern. It is also understood that all prior supplementary agreements between the parties hereto are terminated as at the close of business on December 31, 1977.

IN WITNESS WHEREOF this agreement is executed by the parties hereto under the hands of their respective officers lawfully authorized in that behalf and corporate seals respectively.

FOR THE EMPLOYER:

DATED:
.....
.....
(SEAL)

FOR THE BOARD:

DATED: Executive Director
(SEAL)

SCHEDULE "1"

PART A

ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM

Supplementary Pension Plan

Dated November 29, 1979

Coverage

1. This Supplementary Pension Plan (herein called the "Plan") is applicable to members of the Ontario Municipal Employees Retirement System (herein called "covered members" who are councillors of the City of Hamilton (herein called the "Employer") in respect of their service as a councillor of the Employer.
Under this Plan service of a covered member shall include optional service as defined in paragraph (e) of section 2 of this Plan.

Definitions

2. Words and phrases used in this Plan shall have the meaning given to them under the Ontario Municipal Employees Retirement System Act, R.S.O. 1970, as heretofore and hereafter amended (herein called the "Act") and, its regulation, Ontario Regulation 936, 1977, as heretofore and hereafter amended (herein called the "Regulation"); and
 - (a) "Agreement" means the Supplementary Benefits Agreement of which this Plan forms Schedule 1;
 - (b) "basic benefit" means the benefit payable to a covered member under section 12, 13, 14, 15, 16 or 18 of the Regulation;
 - (c) "Plan effective date" means January 1, 1979 and the Plan year shall end on December 31 of each year thereafter;
 - (d) "Plan normal retirement date" of a covered member means the last day of the month such member attains age 65;
 - (e) "optional service" means service with the City of Hamilton as a councillor

Application

3. Each councillor to whom this Plan is applicable shall become a covered member either on the Plan effective date or on the date he commences or commenced to make a contribution under section 9 of the Regulation, whichever is the later date.

Contributions.

4. (1) After taking into account any contributions actually made by covered members the Employer shall contribute to this Plan each year such amounts to be determined by the Board, on the advice of the actuary, as are required to provide for the payment of benefits under this Plan.
- (2) Each covered member shall contribute to this Plan if he elects to purchase optional service an amount as prescribed in the Regulation.

Plan Credited Service

5. The Plan credited service of a covered member shall be that part of his continuous service, as described in section 1 of this Plan, which occurred immediately before the Employer's effective date of participation in the System but excluding any such service
 - (a) for which a contribution made by the covered member under section 9 of the Regulation, under an approved pension plan or under a prior service agreement has been refunded; or
 - (b) for which the covered member was entitled to make a contribution under section 9 of the Regulation, under an approved pension plan or under a prior service agreement and chose not to do so; or
 - (c) for which the covered member has not made a contribution under subsection (2) of section 4 of this Plan.

Supplementary Normal Retirement Pension

6. (1) A supplementary normal retirement pension is payable under this Plan to a covered member who retires on or after his Plan normal retirement date and shall be equal to 2% of his pensionable earnings multiplied by the total number of years and part of a year of his Plan credited service up to 35 years, reduced,
 - (a) when the covered member becomes entitled to a pension under the Canada Pension Plan by 0.7 per cent of the lesser of such pensionable earnings or the average of the Year's Maximum Pensionable Earnings as defined in the Canada Pension Plan for the year in which he retired and for each of the two preceding years multiplied by the total number of years and part of a year of his Plan credited service after the 1st day of January, 1966 up to 35 years, and

- (b) by the annual amount of pension payable under a prior service agreement or an approved pension plan to the covered member on or after his Plan normal retirement date excluding the annual amount of any pension purchased by voluntary contributions made by the covered member under an approved pension plan, and
 - (c) the annual amount of any pension payable to the covered member on or after his plan normal retirement date which was used as an offset under subsection (11) of section 23 of the Regulation in respect of the covered member's optional service.
- (2) A supplementary normal retirement pension payable to a covered member under this Plan is payable coincident with and under the same terms and conditions and subject to the same limitations as the covered member's normal retirement pension under section 12 of the Regulation.
 - (3) Notwithstanding anything in this Plan, the annual amount of the supplementary normal retirement pension payable to a covered member under this Plan shall not be less than the amount of annual pension which contributions made by him on account of such supplementary normal retirement pension would provide. The amount of such annual pension payable in respect of such covered member contributions shall be determined by the executive-director.
 - (4) The total of the annual amount of supplementary normal retirement pension payable to a covered member under this section plus the annual amount of any pension in respect of his Plan credited service payable to a covered member at normal retirement age under an approved pension plan or under a prior service agreement plus the annual amount of any pension payable to the covered member on his Plan normal retirement date which was used as an offset under subsection (11) of section 23 of the Regulation in respect of the covered member's optional service, plus the annual amount of normal retirement pension payable to the covered member under section 12 of the Regulation may not exceed the maximum amount provided in section 250(4) of The Municipal Act, R.S.O. 1970, chapter 284, as amended.

Other Benefits

- 7. In lieu of the supplementary normal retirement pension payable under section 6 of this Plan, there shall be payable, coincident with and under the same terms and conditions and subject to the same limitations as the basic benefit:
 - (a) a supplementary disability retirement benefit calculated in the manner prescribed in section 13 of the Regulation but using the supplementary normal retirement pension under section 6 of this Plan as a basis for calculation; or

- (b) a supplementary pension to a covered member's widow, widower or children calculated in the manner prescribed in section 14 of the Regulation but using the supplementary normal retirement pension under section 6 of this Plan as a basis for calculation; or
- (c) a supplementary deferred pension calculated in the manner prescribed in section 15 of the Regulation but using the supplementary normal retirement pension under section 6 of this Plan as a basis for calculation; or
- (d) a supplementary early retirement pension calculated in the manner prescribed in section 16 of the Regulation but using the supplementary normal retirement pension under section 6 of this Plan as a basis for calculation; or
- (e) a refund of contributions plus interest to the credit of a covered member under this Plan, in the manner prescribed in section 18 of the Regulation; or
- (f) a transfer of the present value of any supplementary pension to the credit of the covered member under this Plan, in accordance with the manner prescribed in section 22 of the Regulation or subsection (10) of section 23 of the Regulation.

Miscellaneous

- 8. (1) The contributions made by a covered member under this Plan, or under a previous plan with respect to the benefits provided herein, shall not be withdrawn in whole or in part while the covered member remains a member of the Ontario Municipal Employees Retirement System.
- (2) The interest of a person under this Plan and in any benefit payable under this Plan is not subject to garnishment, attachment, seizure or other process of law, and is not assignable.
- (3) References herein to sections of the Act or Regulation or subdivisions thereof include successor sections or subdivisions thereof which may be enacted from time to time.

BY-LAW NO. 79 - 337

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts, as follows:-

1. Section 8 (Heavy Traffic) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby amended by adding to sub-section (1) after the word "pounds", the following words, namely:-

"excepting however".

2. Section 27 (Miscellaneous Prohibitions) is hereby amended by deleting sub-section (10) (Stop Before Entering Roadway) and by substituting therefor the following sub-section, namely:-

"(10) Stop Before Entering Roadway. The driver of a vehicle about to enter or cross a highway from a private road, driveway or alley shall stop immediately before entering same, or sidewalk if any."

3. Schedule 9 (Through Highways) is hereby amended by deleting therefrom the following items, namely:-

"MacNab Street, from the northerly limit of Herkimer Street to the southerly limit of Bold Street, except at the intersections of Charlton Avenue and Barton Street;

Bold Street, from the westerly limit of James Street, to the easterly limit of Park Street, except at the intersection of MacNab Street;"

4. Schedule 10 (Stops at Intersections) is hereby amended by adding thereto the following items, namely:-

"Robinson
Gatineau

Eastbound
Westbound

MacNab
Moxley".

5. Schedule 18A (No Left Turn on Red Light at Certain Intersections) is hereby amended by adding thereto the following item, namely:-

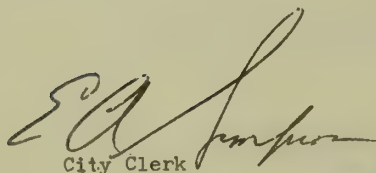
"Locke

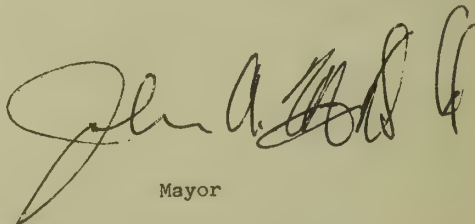
Northbound

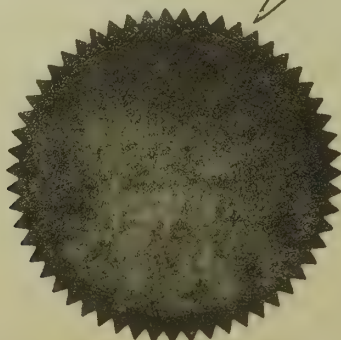
King

Anytime".

PASSED this 11th day of December, A.D. 1979.


City Clerk


Mayor



BY-LAW NO. 79 - 338

To Amend By-law No. 66-100 To Regulate Traffic

The Council of The Corporation of the City of Hamilton enacts as follows:-

1. Section 34b. (Area Time Limit Exemption) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966 is hereby amended by deleting sub-section (6), namely:-

"(6) The Traffic Commissioner shall erect and maintain official signs in each time limit area identifying each street and each block to which time limit exemptions apply, and which indicate the number assigned to the time limit exemption area within which the street and block are situate."

2. Schedule 22 (Hamilton Street Railway Bus Routes) is hereby amended by adding thereto the following Table, namely:-

"Wentworth-Crosstown

From Sanford and Delaware, north on Sanford to Barton, west on Barton to Wentworth, north on Wentworth to Burlington, west on Burlington to Wilfred, north on Wilfred to Oliver, east on Oliver to Wentworth, south on Wentworth to Delaware, east on Delaware to Sanford."

3. Schedule 23 (Hamilton Street Railway Bus Stops) is hereby amended by adding the following Table, namely:-

"Wentworth-Crosstown

NORTHBOUND

SOUTHBOUND

Oliver at Wentworth .

Wentworth at Burlington".

4. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following items, namely:-

"Greig	East	Barton to 133 ft. southerly
Greig	East	From 190 ft. south of Barton to
		283 ft. south of Barton
James	West	Mulberry to 100 ft. north".

and by adding thereto the following items, namely:-

"Greig	East	Barton to 283 ft. south
James	West	Mulberry to 57 ft. north
Bunker Hill	East	Greenhill to Hanover Place
Grandville	East	Violet to Delawana".

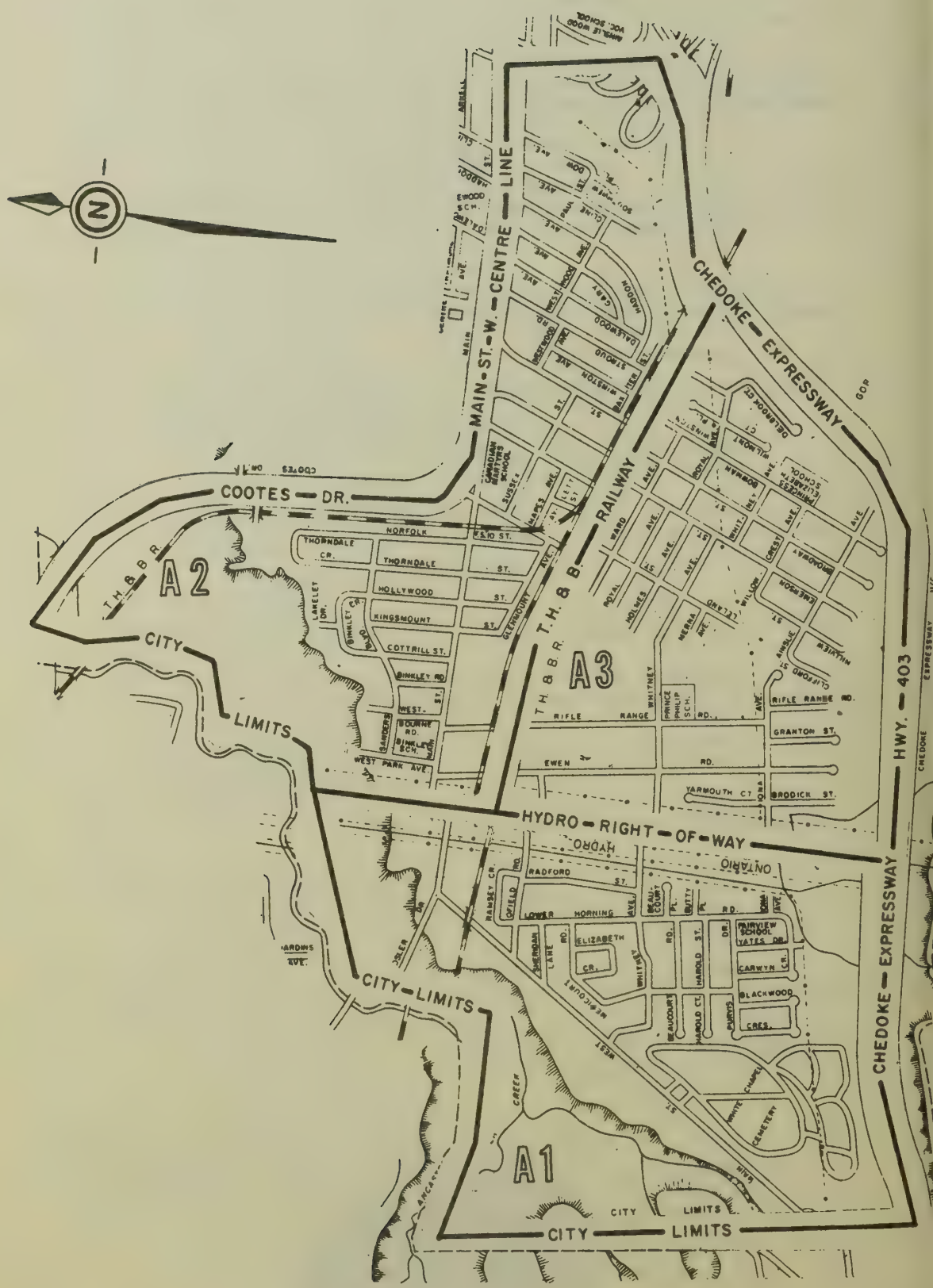
5. Schedule 40 (Time Limit Exemption Areas) is hereby amended by adding thereto the illustrations lettered "A" to "G" inclusive, attached to this By-law.

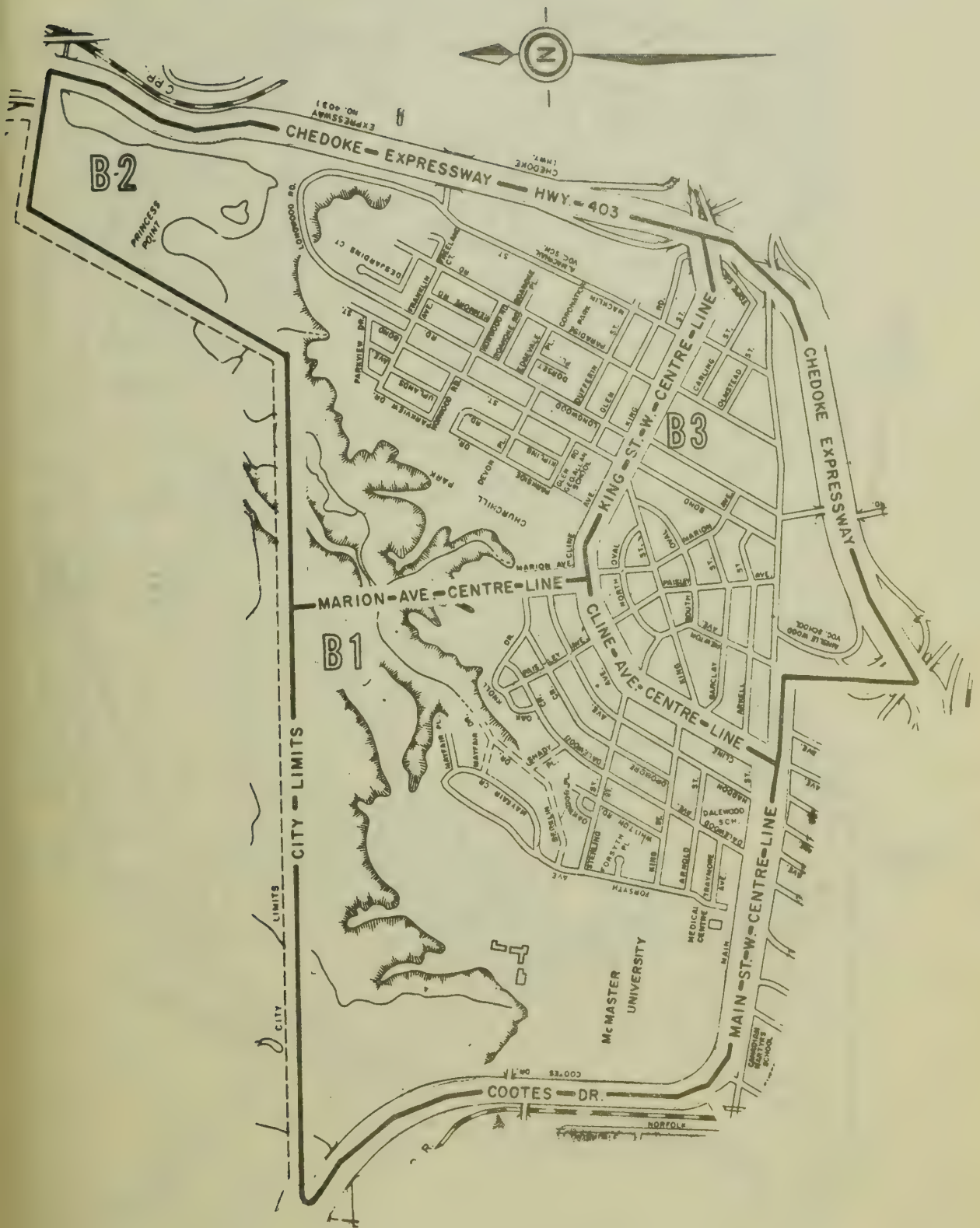
PASSED this 11th day of December , A.D. 1979.

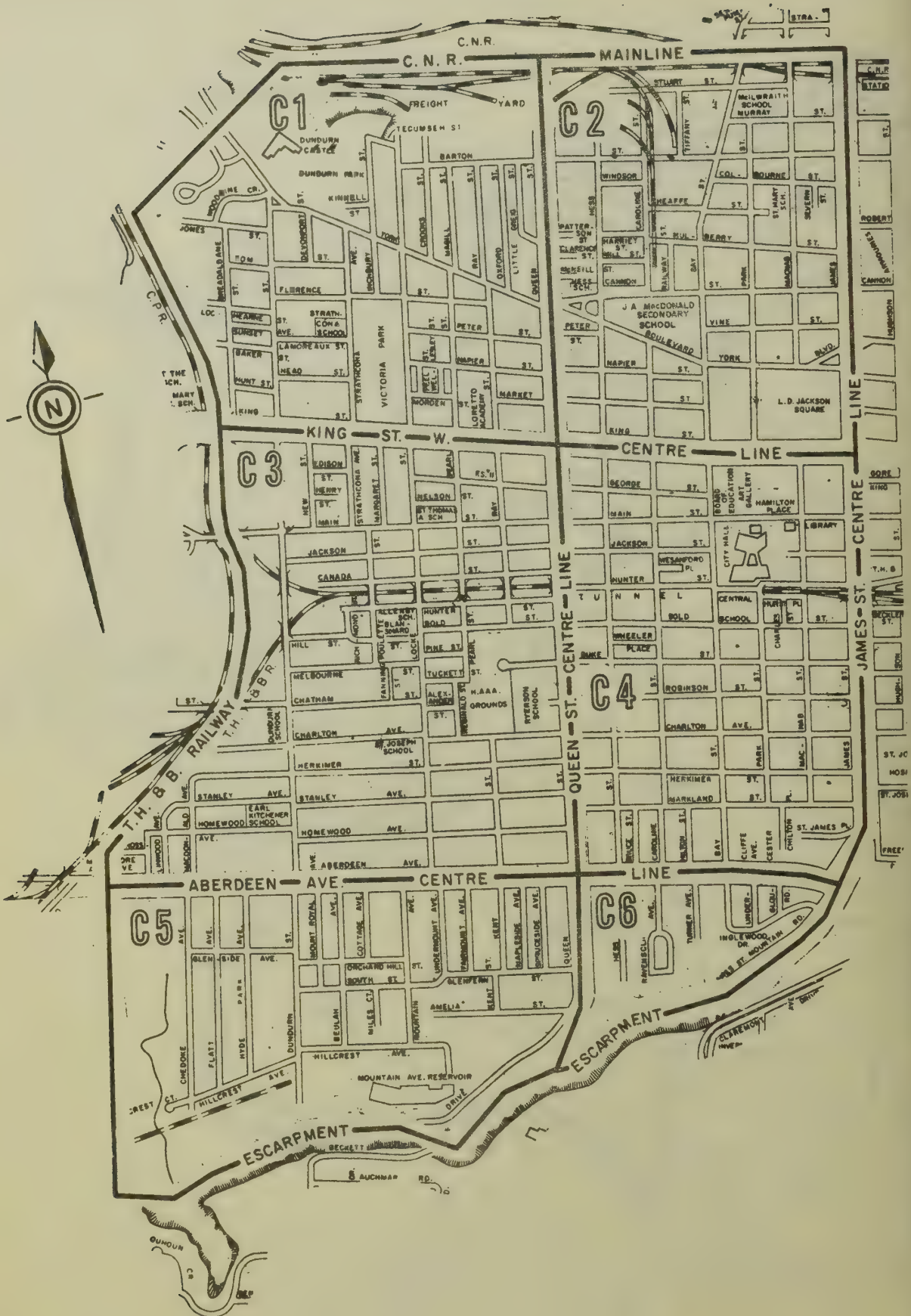
[Signature]
City Clerk

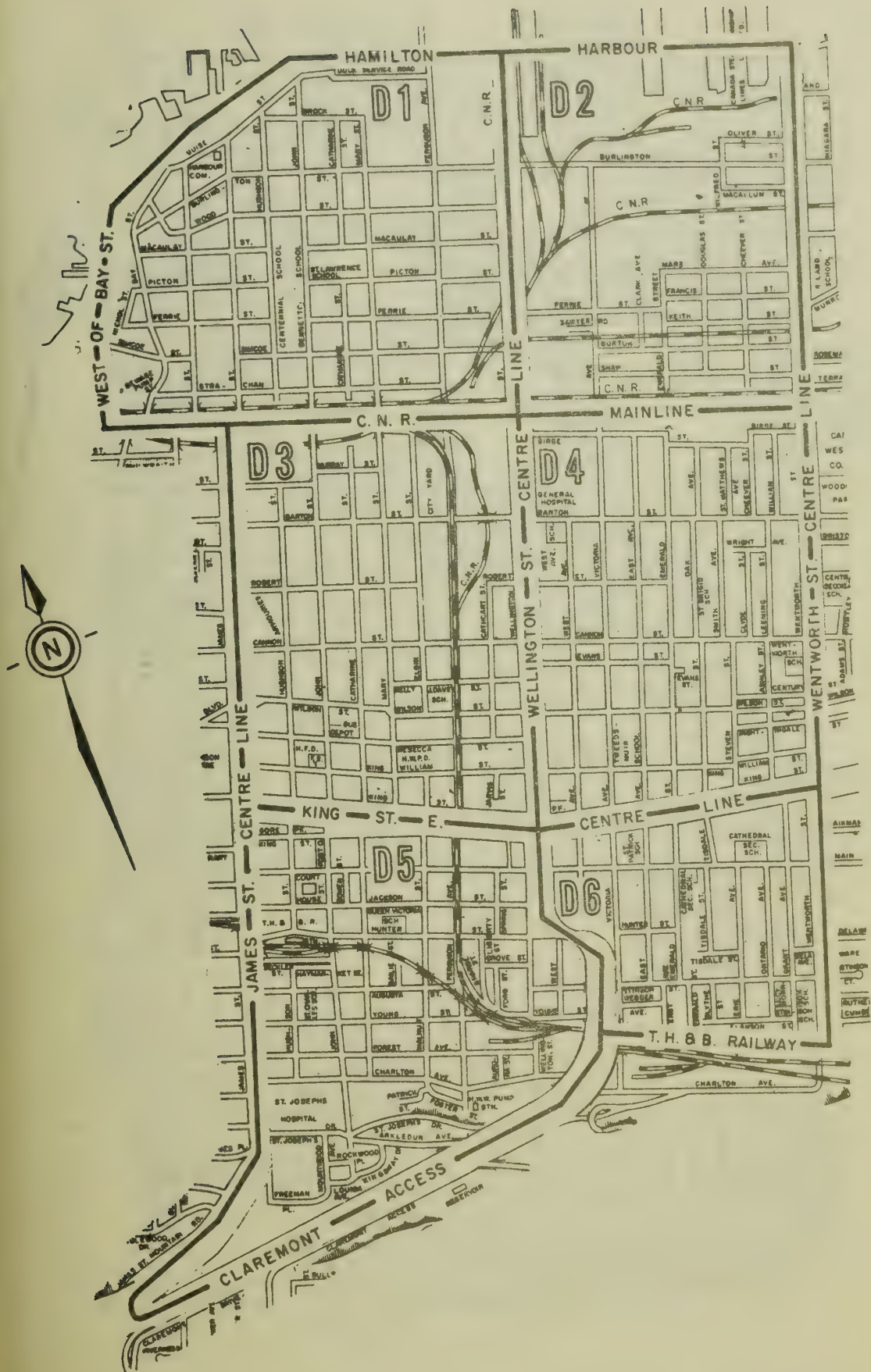
[Signature]
Mayor

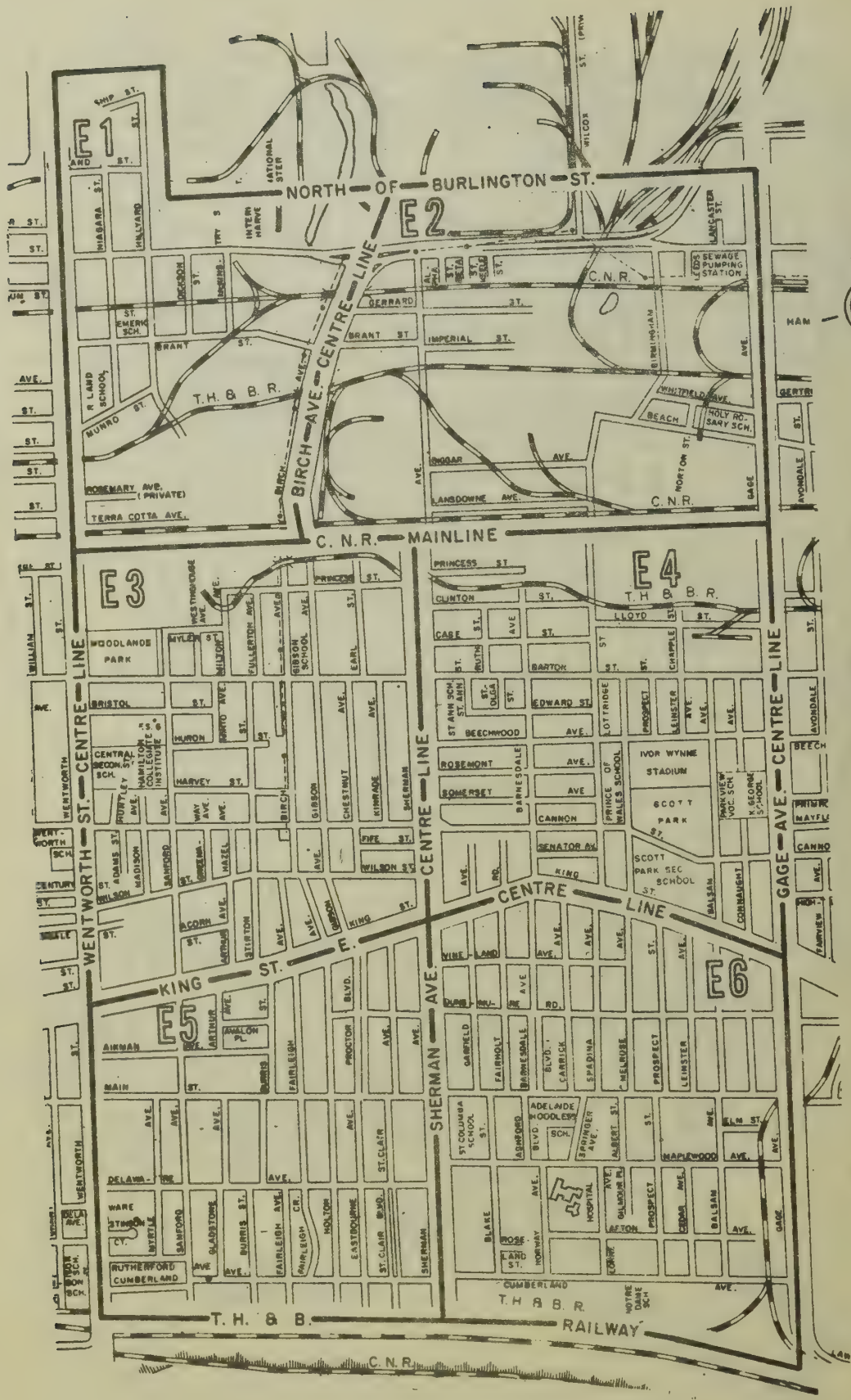


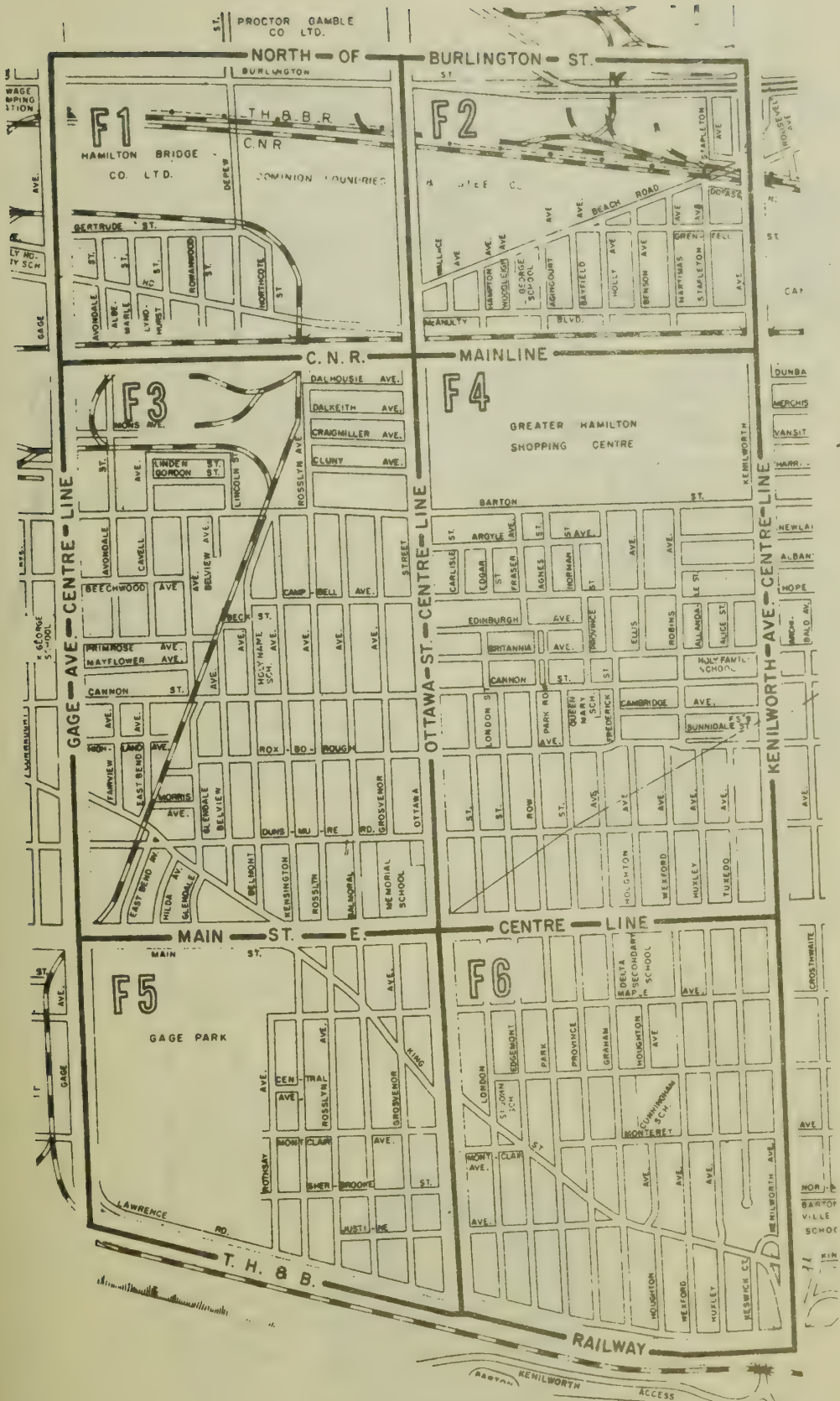


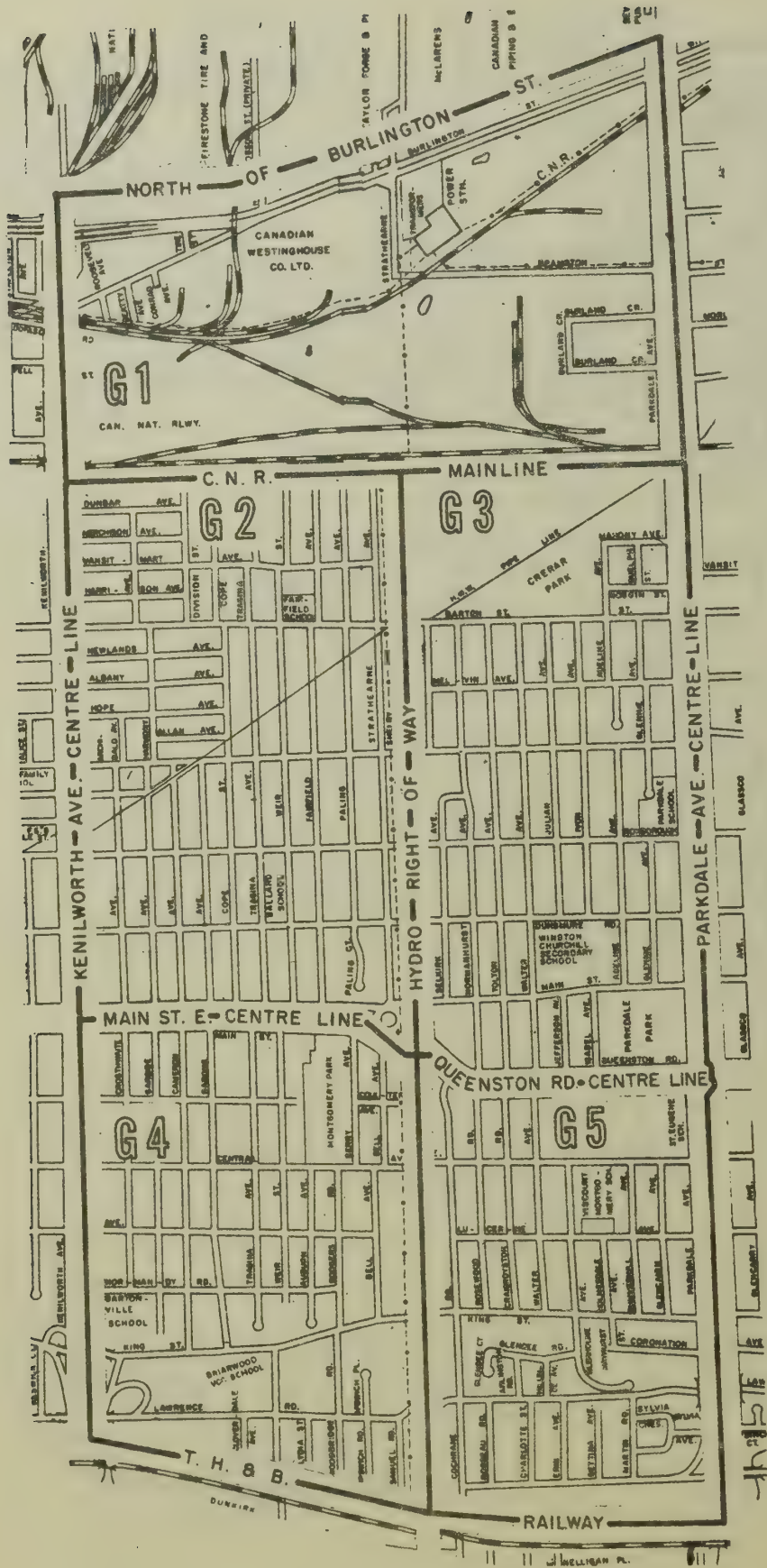












Bill No. 342

BY-LAW No. 79- 339

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11TH DAY OF DECEMBER, A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

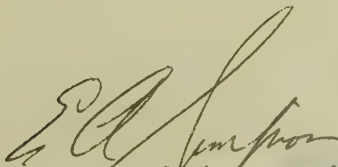
AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

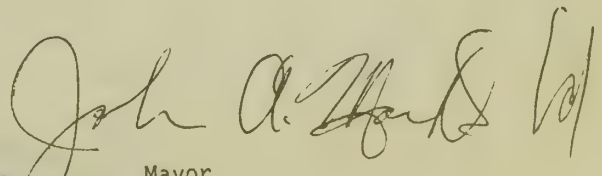
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

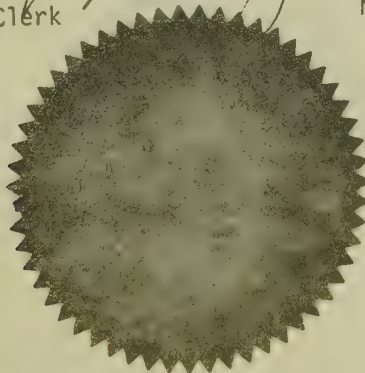
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 11th day of December A.D., 1979.


City Clerk


Mayor



Bill No. 343

BY-LAW No. 79-340

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 18TH DAY OF DECEMBER A.D., 1979.

WHEREAS by Section 9 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 241 of The Municipal Act, being Chapter 284 of the Revised Statutes of Ontario, 1970, the powers of every Council are to be exercised by by-law;

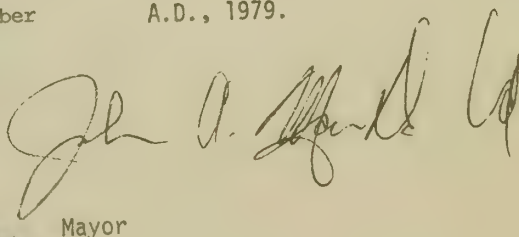
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

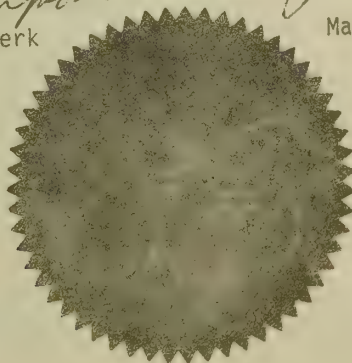
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Report/Reports of the Board of Control and in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Vice-Chairman of the Board of Control and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 18th day of December A.D., 1979.


City Clerk


Mayor



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